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ORIGIN

OF

DUTY AND RIGHT.

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THE

ORIGIN

OF

DUTY AND RIGHT

IN

MAN,

CONSIDERED.

ΗΜΩΝ ΤΟ ΠΟΛΙΤΕΥΜΑ ΕΝ ΟΥΡΑΝΟΙΣ ΥΠΑΡΧΕΙ.

PHIL. III. V. 20.

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PICCADILLY.

1796.

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PREFATORY NOTE

OF

THE EDITOR.

LIBRARY SETS

THE following work was written and published when the King was on the eve of meeting the Parliament for the first time, after the attack made upon his person, in the close of the year 1795; *and it was addressed by the Author to the Inhabitants of London and Westminster, as being a part of the community whose situation more particularly imposed on them the duty, as well as furnished them with the opportunity, of asserting and maintaining the independency of Parliament.*

APR 26 1938

The natural tendency of that outrage in respect of the whole legislative body (consequently of the Constitution) of the country, by the intended ruin of one of its integral parts; the daring defiance given to the laws, in the person of their Chief Magistrate; and the insult thus offered to the individual honour, freedom, and fidelity, of every British subject; induced the Author to blend the considerations arising

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immediately from that event, with others on the Origin and Proportions of Duty and Right in the Nature of Man, and on the unexampled aptneſs of the Britiſh Conſtitution for advancing human ſociety to its extreme degree of proſperity, liberty, and happineſs: And it was his deſign, in caſe this haſty effort ſhould have the good fortune to experience any encouragement, to reconſider at a future time the permanent part of his ſubject; and, ſeparating it from what was purely incidental, to give it ſuch an arrangement as might poſſibly render it not an unuſeful manual for aſſaying the value of thoſe novel doctrines, which go to ſubvert all eſtabliſhed principles of ſociety and government, under the inſolent and falſe plea, of penetrating deeper into the nature of men and things than had before been done.

The candid treatment which he has experienced from the Reviews, and the favourable judgment pronounced by ſome reſpectable friends and others, enable the Editor to ſtate the Author's intention of proſecuting his original deſign of reviſing the ſubſtance of his argument; the execution of which, he hopes, in the courſe of a ſhort time, to be able to lay before the Public.

April 6th, 1797.

WE here lay claim, in limine *of our Addreſs, to the candid judgment of that reſpectable Body to whom we have ventured to preſent it; leſt the compaſs into which we have attempted to reduce ſo extenſive a ſubject, and the haſte with which it has been unavoidably drawn up, and of which it carries with it but too many evidences, may in parts have rendered the performance involved.*

If, however, we ſhould have the good fortune to diſcover, by their ſuffrage, that the view we have taken of the great queſtions of DUTY *and* RIGHT *as ſubſiſting in* MAN, *is juſt; and that the thread of our argument, however it may be* involved, *is yet* unbroken;

broken; *we might be tempted at a future day to elucidate that view, and to develope that argument, detached from the peculiar, accidental matter, which has occaſioned our ſubmitting it to their notice at this particular time.*

April 26, 1796.

THE

ORIGIN

OF

DUTY AND RIGHT

IN MAN

CONSIDERED.

Addreſſed to the Inhabitants of London and Weſtminſter, &c. &c.

THE Time is nearly at hand, when the King will proceed, in diſcharge of the high function veſted in him by the Conſtitution, to meet the Lords and Commons of Great Britain, aſſembled in Parliament.

Whatever the occaſion is capable of preſenting to a contemplative mind, in the perfect equipoiſe it exhibits of the intereſts and duties of aſſociated man, yet, from long uſe, and familiar enjoyment of the bleſſings derived from the Conſtitution, it would have but little expectation to arreſt the obſervation of Engliſhmen at this particular time, were it not for circumſtances the moſt afflictive, if not the moſt portentous, that have diſturbed the nation's internal quiet ſince the æra of the

Revolution; that brilliant æra, in which the intereſts of the Britiſh people were ſecured, the prices of liberty and good government aſcertained, and the balance of the ſtate finally adjuſted, by the limits aſſigned to the powers, privileges, and prerogatives of the three conſtituent branches of the Legiſlature.

The circumſtances here alluded to, are of a date too recent, and of a quality too impreſſive, and having moreover taken place within the limits of YOUR reſidence, are of a notoriety too general, to impoſe the hateful taſk of rehearſing them. Theſe, however, are the circumſtances, that render the approaching progreſs of the King to the Parliament an object of peculiar intereſt to the great body of the nation; and that occaſion, which, until the inſinuation of the political venom of France had deranged the equable ſyſtem of Britiſh ſociety, commanded always its natural and becoming portion of reſpect, without exciting any extraordinary emotion, now rouſes the attention of the whole family of Britons, diſperſed throughout the empire: Who, reflecting with horror upon the dreadful phenomenon of civil guilt exhibited at the time of the laſt Royal progreſs, anticipate with anxiety the return of that event; and, at the ſame time, direct their eyes upon

YOU,

YOU, THE INHABITANTS OF LONDON AND WESTMINSTER, whom the local arrangements neceſſary to regular ſociety, and the political and commercial intereſts of the Britiſh Empire, have rendered the depoſits and natural guardians of the Legiſlature of your country.

The proſpect of this event, acquires thus, from a retroſpective view of the inſults that the King then ſuſtained, an intereſt unequalled alas! in the annals of the kingdom, becauſe unequalled in its cauſe; and it places YOU in a ſituation the moſt critical, as being conjured by the voice of your countrymen, to prevent the attachment of that ſtain which might adhere to the Britiſh name from the monſtrous enormities then committed. And becauſe the laws of man's nature, which confine his perſonal exertions to ſo narrow a ſphere, render it impoſſible for each to concur with his individual ſuccour towards obtaining that end; they, therefore, look for it from YOU, who ſhare in the principles and feelings common to Engliſhmen, and who, excluſively of YOUR own particular intereſts concerned, are juſtly held to owe this to YOUR fellow-countrymen diſtributed in the kingdom, in return for the diſtinguiſhed advantages, which YOUR proximity to the Legiſlature, and the other circumſtances of YOUR ſituation, neceſſarily confer.

Upon theſe conſiderations alone, therefore, that the nation looks back with horror on the late aſſaults offered to the perſon of the Sovereign; and that being unable individually to diſplay either their deteſtation of thoſe acts, or their attachment to the office, or perſon of the King; or to concert meaſures for expelling from within YOUR reſidence, the infernal cauſe of enormities endangering the fabric of our liberties, they look with paſſionate confidence to YOU, to diſcharge the peculiar duties reſulting from YOUR local ſituation: upon theſe conſiderations only, the preſent addreſs is urged; in which, whether we fail, or whether we ſucceed, no ſound and upright mind—no pure and unaccuſing conſcience, will ſuſpect any other purpoſe to be at heart, than that of aiding to ſtem the career of principles diſſeminated throughout the nation, but no where with ſo much activity, ſo much addreſs, ſo much calculation, and, alas! ſo much ſucceſs, as in the large and populous metropolis of which YOU are THE INHABITANTS. Principles, acting in direct oppoſition to every admitted and approved principle of civil ſubordination, every inſtruction of ſocial experience, every light of reaſon and religion; principles, whoſe immediate operation it is, to eradicate every particle of attachment to the exiſting Conſtitution, whether we received that attachment

tachment by inheritance, or derived it from a contemplative ſurvey of the bleſſings we have ſo long, and ſo effectually, continued to poſſeſs; and, creating a nauſea or diſguſt towards it, from the very cauſe which entitles it more than any other to our affectionate eſteem, namely, its long duration: that is to ſay, not that decrepid age which enfeebles and wears out the ſprings of action; but that confirmed ſolidity, which, accumulating proof upon proof of its ſuperior aptneſs to anſwer every end of civil government, eſtabliſhes on a baſis, immoveable by reaſon, its conſtant and invariable excellence.

On YOU, then, as proxies for the Britiſh People to proclaim their ſentiments—on YOU, whoſe name the demon of treaſon has endeavoured, by an infernal artifice, to involve in her own infamy; a duty of this lofty nature is impoſed. And it is with a conſoling confidence that we look for the conduct YOU ſhall purſue, to diſarm malevolence of even the ſhadow of a reaſon for inſinuating, that either by favour, or through cowardice, an aſſault was ſuffered to take place, and moreover to be repeated, upon the perſon of the Chief Magiſtrate, in the heart of YOUR reſidence, and, therefore, in the focus of YOUR abilities. For malice will not be unwatchful of the opportunity afforded,

afforded, ſhould YOU ſeem not to have reflected on thoſe enormities with that ſalutary horror, which ſhall determine YOU to uſe the pregnant experience of the paſt, in regulating the events of the future; and in ſtriving to prevent a repetition of the effects, by endeavouring, with every means conſiſtent with your civil duties, to extinguiſh or to incapacitate the energy of the cauſe.

If we look for the moſt general cauſe of that internal diſquiet, which at length broke forth into the ſcenes now under contemplation, we may venture, without odium, to expreſs it by the general name of, diſcontent: by which we mean an uneaſineſs under exiſting circumſtances, with a deſire of producing a change in them. Such a mood, when conſidered as exiſting in any conſiderable part of a large community, will vary its degree in reſpect to thoſe circumſtances, or, which is the ſame thing in its effect, in reſpect to the view that the mind takes of thoſe circumſtances. For, as the paſſions of man are rouſed and called out into action in conſequence of the impreſſions received by the mind; and, as the human mind is ever liable to admit erroneous impreſſions, there can be no doubt that erroneous impreſſions once conveyed to the mind, will produce real paſſions, and all the

conſe-

conſequences of real paſſions, as effectually as true impreſſions could do. All cauſes of diſcontent to exiſting circumſtances, if they are founded in truth, will act upon all who are in the ſame common ſituation, and who poſſeſs a common nature, and diſcontent will be immediately and neceſſarily produced in each. When then the diſcontent originates only in a few, and is only extended progreſſively to the numbers, through the mediation and induſtry of the few, it is clear that the numbers are not immediately impreſſed by cauſes exiſting in nature, but mediately through the inſtrumentality of the few in whom diſcontent has taken place: and, as ſuch partial diſcontent cannot proceed from general cauſes affecting each, otherwiſe each would be affected by them, but is perſonal and original in the individuals themſelves; the diſcontent that they communicate to others, is only the diffuſion or propagation of their own diſcontent. But as men are only to be actuated by a ſenſe, or perſuaſion of intereſt, and therefore take part with others, only in proportion as they conceive themſelves concerned in their acting; ſo the numbers can only be induced to concur with the few, by an apprehenſion raiſed in their minds that they have intereſts involved or at ſtake; and the impreſſion not being received from nature, but being produced by the

in-

induſtry of men, labouring under a diſcontented mind, and who can only reach the moral organ of thoſe in whom they endeavour to excite diſcontent, through the organ of the fancy, or that part of the mind which receives the impreſſions by which the paſſions are raiſed ; it is clear that ſuch an impreſſion derives its origin, not from the nature of the caſe, but from the ſubtilty and intereſt of the few, who are thus the ſource and conduit of the diſcontent ; and conſequently that it is not founded in truth, but in illuſion and error.

The nature and object of the diſcontent, therefore, varies in relation to thoſe in whom it ſubſiſts ; who may be ſaid to be of two deſcriptions ; thoſe in whom it originates, and thoſe to whom it is derived ; or, in more popular and ordinary phraſe, *the leaders*, and *the led*. The diſcontent of the former differs in its original from that of the latter ; as the firſt ariſes from a principle of ſelf-will, the ſecond from a principle of error. There is, however, a peculiar ſubtilty and virulence in the nature of this error, that renders the tranſition from error to guilt rapid and complete. So that unleſs the malady be ſtopped in its early ſtage of error, it ſpeedily alters its quality, and may ſoon advance to every degree of turpitude and malignity.

To remove this diſcontent, or to nullify its activity, requires a difference of proceſs, according to the principle from which it proceeds, or according to the ſtate in which it ſubſiſts. That which ſubſiſts as a principle of ſelf-will, demands the ſteady and inflexible coercion of juſtice; that which ſubſiſts as a principle of error, claims every aid and ſuccour that mercy and wiſdom can impart. The firſt rouſes in us a ſentiment of the moſt unqualified indignation and diſguſt; the ſecond, while it diffuſes a melancholy upon the mind, awakens in us a ſentiment of a very oppoſite nature.

Of the two deſcriptions of perſons here conſidered, the latter are infinitely the moſt numerous; and on this, as well as on many other conſiderations, they challenge our principal regard. The firſt may be conſidered, in general, as the efficient, the latter as the inſtrumental, cauſe of all our internal diſquiet. By wreſting the inſtrument from the hand of crime, we ſhall ſtrip it of the only means it has for producing its effect. By removing error, therefore, we in a manner paralyſe the force of crime. On the other hand, if we take the fulleſt vengeance of crime, and at the ſame time take no ſteps to repair the waſte it may have occaſioned, the flood of error which it has diſcharged will ſtagnate over the ſurface of the country, and the

ſpawn of crime with which the fluid ſo plentifully abounds, will ſooner or later ripen into life and activity.

To remove, therefore, the diſcontent of the majority, which proceeds from error, is a meaſure equally enjoined by wiſdom and by charity: by wiſdom, as it is the moſt effectual method to recover ourſelves to peace and general confidence; by charity, as it is the only means poſſible for reinſtating others in the capacity of obtaining happineſs.

The removal of error may be effected by two different operations, which are thus deſcribed by a wiſe and valuable writer:

" When error prevails, there are two ways by " which the cauſe of truth may be maintained; " either by a direct and formal refutation of the " error, or by a plain and effectual eſtabliſhment " of the truth.

" The advocate for truth may deſcend into " the field of controverſy, he may engage every " adverſary that comes in his way, he may purſue " and expoſe every ſingle error. But error poſ- " ſeſſes a wide and dark dominion, and he who " undertakes the conqueſt of the whole, under-

" takes

" takes a labour that is almoſt infinite. It will " ſtill find ſome obſcure corner to retire to, from " which it will be found hard to diſpoſſeſs it.

" There is another way of removing error, and " that is, by a full and clear expoſition of the " truth. There is ſomething much more pleaſing " to a liberal mind in the eſtabliſhment of truth, " than in the refutation of error; as the labour is " more pleaſing to rear a fair and well-proportioned " edifice, than to pull down one that is miſhapen " and ill-proportioned *."

The mode of combating error, recommended by this excellent writer, is that which we feel ourſelves ſtrongly impelled to attempt under the authority of YOUR name, and in the opportunity that we have ſought for in this addreſs; and perhaps it will hardly be found in any caſe ſo entirely deſirable, as in the great and comprehenſive queſtion, which we ſhall now endeavour to conſider.

If we examine the complexion of that diſcontent which has of late produced ſo much alarm and diſquiet amongſt us; if we conſider the period of its origin, and the circumſtances of its progreſs, we

* Rotheram's *Eſſay on Faith, Pref.*

ſhall have no difficulty in diſcovering that it has relation to a queſtion that has been turned and ſhaped into a variety of forms, adapted to every taſte, prejudice, and capacity of man, but ſtill expreſſed by the ſame phraſe—*the Rights of Man.*

The *manner* in which this queſtion was brought forward before the public mind being *new*, a ſcandalous and too ſucceſsful uſe was made of this *novelty* of the *mode* to perſuade a *novelty* of the *ſubject:* and becauſe the queſtion of the rights of mankind, viewed in reſpect of human government to which they were confided, and of Almighty God, from whom they were originally derived, had been hitherto conducted in a manner totally different from that which was then introduced, it was baſely and wickedly pretended that they had never been inveſtigated at all; that they were objects of truth, newly expoſed to the perception of the intellect by the blaze of French philoſophy; and that, as they formed a body of important intereſts inſeparable from the nature of man, but till then unknown in Britain, it was neceſſary that Engliſhmen alſo ſhould direct every faculty of mind, every energy of paſſion, towards this alluring object, and break in upon an eſtabliſhment by which they were precluded from obtaining it. Such was the diſhoneſt and inſidious artifice em-

employed by the authors of the diſcontent, to propagate the ſpirit by which they were moved; and by the general diffuſion of which only they could hope to attain to thoſe objects, to which their paſſions ſo reſolutely tended.

It is a lamentable reflection, that there ſhould have been found Engliſhmen ſo abject and degenerate, as for a moment to yield themſelves the dupes of ſo groſs and ſhameleſs a falſhood! that they ſhould ſo ſoon have loſt ſight of the eminence on which their anceſtors have ſtood for upwards of a century, and on which they themſelves were nurſed: that they, who were to France the original archetype of liberty, and who firſt ſhowed her the practical enjoyment of man's beſt rights, ſhould be imbecil enough to ſuffer her to pluck this faireſt feather from the Britiſh plume, and inſultingly implant it in her own red cap: that, after boaſting of the glorious Revolution for upwards of an hundred years, they ſhould conſent to be told by France that the Revolution was *not glorious*, that it was only a modification of tyranny, founded on principles now become dangerous and obſolete, and which muſt no longer be tolerated in Europe: and that they ſhould have given France credit for a calumny ſo outrageous. Melancholy, indeed, is the reflection upon this truth!

What,

What, alas! would be the feelings of our illuſtrious anceſtors, thoſe to whom many generations of a juſt and grateful poſterity have aſcribed the bleſſings of the freedom and ſecurity they have enjoyed, could they quit their tombs, and behold, in the preſent age thouſands of their ſervile deſcendants, vying with each other to ſurrender up to France the faireſt honours of England, and to concede the palm, long ſince adjudged to themſelves, to a Paine, a St. Juſt, or a Roberſpierre!

If we look to that arrogant and ſavage inſtructreſs, we ſhall perceive that ſhe commenced her doctrines with a boiſterous clamour of the rights of man; rights, indeed, of the moſt ſacred and important nature to mankind, but which were never worſe underſtood, nor worſe promoted, than in her ſchool: and from this ſchool of diſtraction comes forth an apoſtle of treaſon and blaſphemy, an apoſtate from this his illuſtrious and inſulted country, and dares to bring forward the queſtion of the rights of mankind as a queſtion new to Engliſhmen and unconſidered by the Britiſh Conſtitution; in which, whether conſummate ignorance or villany prevail, YOU are well able to decide. For, if that libeller does not know, that the hiſtory of the Engliſh nation is the

hiſtory

hiſtory of man's beſt rights gradually riſing into fruit, but proceeding with that deliberation which ever marks the progreſs of wiſdom *; if he does not know, that at the glorious æra of 1688, the rights of man were better conſidered, better aſcertained, and better confirmed in relation to reaſon, experience and religion, than at any other period before or ſince; in that caſe, conſummate ignorance prevails: but if, knowing all this, he nevertheleſs denies it, conceals it, miſrepreſents it, ſo as to effect the dark purpoſe of betraying the confi-

* The cautious, and often in appearance the tardy proceſs of wiſdom, is obvious to the perception of every wiſe and obſerving mind. "*Ne ſouhaitons jamais de Révolution; plaignons nos peres "de celles qu' ils ont éprouvées. Le bien, dans la nature phyſique et "morale, ne deſcend du ciel ſur nous que lentement, peu-à-peu, "j' ai preſque dit goutte à goutte; mais tout ce qui eſt ſubit, in-"ſtantané, tout ce qui eſt révolution, eſt une ſource de maux."——"Let us never wiſh for revolution; let us compaſſionate our "forefathers for thoſe they have undergone. Good, both "natural and moral, is only tranſmitted from heaven to us "ſlowly, by little and little,—I had almoſt ſaid, drop by drop; "but all that is ſudden, inſtantaneous, all that is truly revolu-"tion, is a ſource of calamities." Theſe memorable words are thoſe of the unfortunate BAILLY, which he expreſſed in the January of the year 1778. How juſtly he ſpoke, he himſelf illuſtriouſly witneſſed, when—at once an inſtrument and victim of the very convulſion he had deprecated—he expired under the guillotine at Paris in the year 1794.——See *Lettres ſur L'Atlantide de Platon, &c. p.* 21.

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dence of an inquiring multitude, and of perverting the principles on which is eſtabliſhed the happineſs of a great people, in order that he may raiſe himſelf to eminence on the mound of ruin he ſhall occaſion, then is he diſcharged from the imputation of ignorance; but it is only that he may receive that of the moſt hardened treachery, and deepeſt malignity, that man in the boſom of ſociety is capable of conceiving.

In attempting to counteract the fatal effects of that error which, by means of this queſtion, has been rendered fruitful of thoſe dreadful ſcenes which ſo lately diſgraced the capital, it is not our intention (as we have already ſaid) to deſcend into that intricate wild into which the inquiry has been purpoſely and craftily drawn by thoſe who aſſert its novelty, or to purſue all the various croſſings and by-paths, through which the failing adverſary eſcapes to preſent himſelf afreſh on ſome new ground; thus rendering the conteſt, like ſkirmiſhes with banditti in a foreſt, interminable and ineffectual. Such a proceſs is foreign to our preſent deſign; which is, to co-operate, to the beſt of our feeble ability, with the exertions YOU ſhall make in defence of truth and order, by endeavouring to acquire and to communicate

cate * a clear and diſtinct impreſſion of the truth on which this great queſtion reſts; ſince, if what we ſhall ſubmit ſhould be ſo fortunate as to eſtabliſh conviction, every contrary argument will at once, by this ſimple operation, ſtand virtually refuted.

The queſtion of the rights of man, which of late has engaged the genius of ſo many different caſts of philoſophers, is not only of a nature ſo important, but is alſo of an appearance ſo ſeductive, that every fair and upright inquirer, whoſe primary object is the attainment of truth, will obſerve the progreſs of the argument with more than ordinary jealouſy; leſt the allurements of perſonal intereſt, which this queſtion appears to offer with ſuch unbounded profuſion, ſhould enfeeble the force of truth, and his judgment receive a bias contrary to that ſide, which, if the argument preſented fewer attractions, his reaſon would decidedly incline him to.

Although the authoritative movers of the controverſy have endeavoured to preclude all examina-

* "Exiſtimabam enim pro veritate non niſi veritate certandum, et quidem tali quam ipſe animo approbarem: fruſtra enim daturum me operam, ut perſuaderem aliis, quæ non ante mihi perſuaſiſſem."——Grotius, *De Verit.* l. i. c. 1.

tion into the nature and origin of *right*, by aſſuming that part of the queſtion as ſettled, yet as this aſſumption becomes thus the firſt principle on which they reſt what they are pleaſed to call "the "eternal and impreſcriptible rights of man," they leave their argument to reſt ultimately on the general queſtion of right. To the nature and origin of right, therefore, we ſhall direct our firſt attention; and if it ſhould preſently appear that every right in man muſt have *an origin*, and may have *an end*, the pretenſion to *eternity* in thoſe rights (which is eſſential to the eſtabliſhment of their argument) will be at once deſtroyed: and a cautious mind will, from this ſingle circumſtance, prepare itſelf to view with ſuſpicion and doubt, every other pretenſion, however plauſible, that the ſame argument may endeavour to eſtabliſh.

In examining into the queſtion of the *rights of man*, it is firſt of all neceſſary to aſcertain and fix the ſignification of thoſe words, that the argument may not ſtray away into perplexity, merely for the want of a ſufficient accuracy of guidance at the outſet. It is neceſſary, therefore, to obſerve, that thoſe words—*the rights of man*—comprehend two diſtinct objects, each demanding a diſtinct and full inveſtigation: the firſt being an inquiry *What is a right?* the ſecond an inquiry, *What is man?*

which

which queſtions being ſolved, we ſhall then, and then only, be able to arrive at the concluſion aimed at, and be qualified to pronounce, what are the *rights of man*.

The queſtion that firſt meets us, and as it were barrs the progreſs to all further inquiry is, what is *a right?* To this a ſatisfactory anſwer muſt be given, before we can advance another ſtep in the territory of truth. But the anſwer is eaſily given. Every notion of *a right*, is a notion of *a title* or *juſt claim* * to the uſe, or poſſeſſion, of *ſomething*. He who alleges *a right*, muſt produce *a title*; he muſt, in the language of our courts, *ſhow cauſe* why that alleged right is to ſtand, and why it may not be invaded. *A right* is a *title* founded, not upon aſſertion, but upon a producible proof; it depends entirely upon evidence; a right, therefore, in its moſt general and comprehenſive ſenſe, denotes that ſolid and fundamental reaſon, † on which a claimant can juſtly aſſume any benefit to himſelf, and at the ſame time reſiſt any operation tending to deprive him of that benefit.

A title is defined by Sir Edward Coke to be, "*a juſt cauſe* for poſſeſſing &c." Titulus eſt *juſta*

* Jacob's Law Dict. Johnſon's Dict.

† "Non tantum ut *vires cogendi* habeat, ſed etiam ut *juſtas* habeat *cauſas vindicandi*. &c." Leibniz.

cauſa poſſidendi *id* quod *noſtrum eſt.*"* This is exactly what the mind intends when it ſpeaks of *a right*; being its univerſal nature, whether it reſpects civil or natural objects. And yet we cannot but obſerve the equivocation to which the popular uſe of the word *right* is liable,† namely, that, it is uſed all at once to ſignify both the *juſt cauſe*, or ground of claim, and alſo *the object* itſelf ſought for by that claim. For both in their turns are called *a right*. Thus it is popularly ſaid, that "man *has* a natural *right to* life," and again, that "*life is* a natural *right* of man;" and yet in the firſt of theſe propoſitions the word *right* denotes a *title*, or what Sir Ed. Coke calls, the juſt cauſe or ground, "*juſta cauſa* poſſidendi;" and in the ſecond it denotes the *object* of a title, or what the ſame authority calls "*id quod* noſtrum eſt." To diſcriminate between theſe two conſiderations, is of very material conſequence towards a faithful and correct management of the argument of right; ſo that in which ever of theſe two ſenſes the word *right* is at any time firſt employed, in that ſenſe only it ought to be continued throughout; otherwiſe the confuſion

* See Blackſtone, B. ii. c. 13.

† The indiſtinctneſs, and therefore the ambiguity, of the notions affixed to the words *right*, and *jus*, is not confined merely to common and colloquial phraſeology; which occaſioned the profound Leibniz to remark; "Juris et Juſtitiæ notiones, etiam "poſt tot præclaros ſcriptores, neſcio an ſatis liquidæ habeantur." Leibnizii Op. *Jurisp.* T. iv. p. 294. P. III.

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of the two ſignifications, will produce a net-work of perplexity and croſs-reaſoning, ſimilar to that which the enemies of the truth have exerted ſo much ingenuity and induſtry to weave. Conſiſtently with what has been ſaid, are the words of Dr. Taylor; who, ſpeaking of right, obſerves, that it "is a *moral quality annexed to a perſon*, enabling him "to have or to do *ſomething juſtly*." * Now, "*the* "*moral quality annexed to the perſon*" is the right, and the "*ſomething* that he may have, or do, juſt-"ly," is the *object* of that right, but is not the right itſelf. Whatever therefore may be the *object* of the moral quality of right in any particular inſtance, the moral quality muſt precede it; he who aſſerts a right, muſt prove the exiſtence of the *moral quality* to be annexed to him; which gives him a *moral power* over that which he claims, and eſtabliſhes a *moral neceſſity*, or obligation, to ſubmit to that power. † This is the neceſſary and univerſal nature of a right.

To eſtabliſh right on general aſſertion, to provide it no more ſolid foundation than the peremptory deciſion of ſelf-intereſt, is to withdraw from it the ſtable baſis of reaſon, and to leave it on the fluctuating

* Elements of Civ. Law.

† "—dicitur, *qualitas moralis*. Ut autem qualitas realis in or-"dine ad actionem duplex eſt; *potentia agendi*, et *neceſſitas agen-*"*di*; ita potentia moralis dicitur *jus*, neceſſitas moralis dicitur "*obligatio*." Leibniz. *Method: nov: diſc: Juriſp.* T. iv. p. 185.

fluctuating and treacherous ſurface of fancy and of paſſion. In the late broils concerning the rights of man, the exiſtence of right is aſſumed; it is no where brought to proof. It is taken for granted in a gratuitous propoſition, on which the whole ſuperſtructure is raiſed; and as the architects who compounded it proceeded rapidly in their work, in order to cover in and conceal the nature of the baſe on which they were building, it will follow that the ſyſtem ſo laid and ſo erected, will be a compound of error and defect. If it be aſked, what is the nature or ground of man's right to life, for example, it would be a ſtrange reply to ſay that it *is* his right; and yet on no better foundation are the inſidious ſyſtems ſpread amongſt the multitude, and impreſſed with the character of *the rights of man*, made to depend. But, praiſed be God, every right that man can claim, is founded on a reaſon comprehenſible by our underſtandings, diſtinct in its origin, and defined in its extent; a reaſon that need not ſhun inquiry, nor bury itſelf under an aſſertion; a reaſon that need not doubt its ability to ſubſtantiate the evidence required, nor ſeek to augment its authority by courting the vociferation of a multitude. For, right has no ſort of dependance upon man's aſſeveration. Millions of men cannot create a truth; they might become organs delivering a true or a falſe propoſition, but they could not confer a grain of verity on a falſe propoſition,

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nor add a grain of verity to a true one. They might expreſs a fixed determination on their part, to act in uniform oppoſition to the evidence of truth; they might make a ſolemn and formal covenant, that henceforward the word *right* ſhould bear their new conſtruction; and they might employ their collective force to reduce, or prevent, any oppoſition to their determination; but ſtill the nature of things would remain unaltered; and right and truth would continue to be juſt what they were, though there ſhould ſurvive no human mind either capable or willing to acknowledge them.

But the nature of right is founded in what ſpirits of that temper ſedulouſly avoid, namely, a diſtinct, producible proof; and it derives no acceſſion of ſtrength whatever from that on which they would wholly reſt it, namely, poſitive aſſertion. It is the genuine offſpring of that eternal and immutable reaſon, to which all things are ſubjected, and which has determined their qualities, and preſcribed their operations.

As the ſyſtem of Atheiſm, notwithſtanding the vigorous efforts made in its favour, has not yet impugned the ancient belief of a one ſovereign Creator, cauſe of every thing exiſting, and of every relation between thoſe things, it is evident that the

the only original and underived title, the only abſolute and underived right, is in Him * ; and that every other notion of right, inaſmuch as it includes an idea of derivation, either immediately from Him, or mediately through the principles of juſtice which He has implanted, depends ultimately on that ſovereign cauſe, is eſſentially referrable to it, and cannot even hypothetically be conſidered diſtinctly from it ; ſince it has the whole ground or reaſon of its exiſtence in the ſupreme determining reaſon, by which all things were ordained, and by which only they can be explained.

All right muſt, therefore, be derived, or underived ; and no right can be derived, but from a cauſe capable of devolving it. Every cauſe devolving right, muſt either have it inherently in itſelf, or muſt have have received it from ſome ultimate cauſe in which it inherently reſides. In examining, therefore, into the nature of right, as an indiſpenſable preliminary to the queſtion of the rights of man, we perceive that we are obliged to diſtinguiſh between *right derived*, and *right unde-*

* " Deus eſt ſubjectum juris ſummi in omnia, nullius vero " obligationis." Leibniz. Vol. iv. p. 185. P. II. " God is " the ſubject in whom ſovereign and univerſal right reſides, and " who is therefore free from all obligation."

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rived; and thus, in order to comprehend its nature, to aſcend to the governing reaſon of the univerſe.

Every right, therefore, that of the Creator alone excepted, is a derived right, flowing from Him as the great Proprietor of all things; and it acquires its quality of right from this only, that it is a title conferred by him, whoſe right to confer is inconteſtible.* Such is the original ſource, the ultimate reaſon, of all derived right; but it is a reaſon that

* We are here inquiring after that inherent right, which is ſuppoſed to be annexed to every man's common nature, at its origin, antecedently to ſociety, and to all artificial forms of polity received among men. Such a right is widely different from that which was ſo ſtrenuously maintained in the laſt century, when the ſpirit of Jacobitiſm (cloſer of kin than the world are aware, to its near namefake of the preſent day) calculating its intereſts on the ſide of monarchical tyranny, as its ſucceſſor in the preſent age has done on the ſide of democratical tyranny, endeavoured to eſtabliſh the divine right of kings. It is amuſing to obſerve, what different effects one and the ſame general principle can produce. Both have endeavoured to fix a form of *civil* polity, on a ground of *divine* or *natural* right; this is the principle common to both. The *divine indefeaſible* right to *monarchy*, and the *natural inalienable* right to *democracy*, being notions of the ſame identica intrinſic quality; and differing only in the application, according to different taſtes and intereſts. For *natural* and *divine* are terms (if they have any meaning at all) of the ſame *radical* ſignification, and neither of them in any ſenſe applicable to any artificial form of polity.

has been carefully ſuppreſſed by the movers of the controverſy, becauſe it would preſcribe bounds to a queſtion which they are deſirous of leaving open and undefined, and becauſe it would be attended with the inconvenience of raiſing the mind to a contemplation of the ſource of right, an elevation that would unavoidably induce a mood, unfavourable to the purſuit of right, after the manner of France. To avoid this, they have induſtriouſly ſpread a veil over the origin of the notion of right; they have choked the way to the principle of right by a mound of ſtubborn aſſertion; they have directed the mind to that aſſertion as to the *ne plus ultra* of inquiry; and they have ſeduced the unwary or profligate minds of their auditors to believe, that that which is only a propoſition capable of proof, but deſtitute of all authority till proved, is a ſelf-evident propoſition; in order that they might not perceive the differences produced by the different modes of employing the propoſition, and which would lead the mind to concluſions directly contrary.

Such alſo is the ſacred principle which they have dared to allege, who have deluged Europe with blood; who have taken up arms againſt the religion of Chriſtendom; who have computed the comfort of any given generation of mankind as a cypher

cypher in the ſpeculations of their philoſophies; and ſuch alſo has been the pretext of their miſerably deluded adherents, whoſe black and flagitious, but by God's providence abortive, endeavours, have lately brought diſhonour upon the metropolis.

Was the notion of right as induſtriouſly united with its origin, as it has been induſtriouſly diſunited from it; was that connexion as carefully preſerved, as it has been ſedulouſly effaced; was the reaſon of man faithfully informed in all thoſe things which are only uſed to diſturb his imagination, and to inflame his paſſions; the queſtion of right would be an inquiry as productive of good to the moral and civil intereſts of ſociety, as it is now rendered luxuriant in miſchief. Did an appeal to the rights of man convey the mind at once into the preſence of the moral Governor of the world, the purſuit of thoſe rights would be conducted with that regard to his laws, and to the various duties of man, that would inſure the peace and proſperity of ſociety. It would be a proceſs of caution and virtuous ſacrifice, not of violence and intemperate avidity; a regard to the duties we might tranſgreſs, would correct our attachment to the intereſts we might promote; conſcience and reaſon would effectually control the operation of crime; and craft and violence, inſolence and ſedition, treaſon and

anarchy, would no longer be found on the ſide where the aſſertion of thoſe rights was profeſſed, but only on that where they were reſiſted.

We have ſeen that right, in general, is a notion of title, or juſt claim; that every title ſtands upon its documents or proofs, and that none can be admitted till its validity has been examined and recognized; that every right ſave that of the Creator is deducible from Him, as the only ſource of right, becauſe the only ſource of being, and conſequently of every attribute of being, of which this of right is one. As then we have aſcertained the nature of right whereever it ſubſiſts, before we can pronounce what is the ſpecific right annexed to man's nature, or rather what are the ſpecific objects to which the moral power of right in man has reſpect, it will be neceſſary to inquire whether any ſuch moral quality is *really* annexed to man, and how it is diſcoverable; and then we may proceed to determine, what is its extent, and what are its natural objects. And let us baniſh the ſordid fear that would deter us from ſo noble an inveſtigation, or fill us with the criminal dread of thus finding ourſelves reaſoned out of right. Truth can never be the object of alarm to any but a diſtempered or a diſtorted mind; but of all inveſtigations, leaſt have we to fear from this, from which we ſhall re-

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turn without compariſon richer, than from the lawleſs and marauding excurſion, into which the buccaneers of the rights of man, have inveigled their incautious retainers. What the excellent Blackſtone has remarked of the ordinary conduct of mankind with reſpect to the notion of the right of property, may be extended to their notion of right in general. "There is nothing (ſays he) "which ſo generally ſtrikes the imagination, and "engages the affections of mankind, as the right "of property.—And yet there are very few, that "will give themſelves the trouble to conſider the "original and foundation of this right. Pleaſed as "we are with the poſſeſſion, we are afraid to look "back to the means by which it was acquired, as "if fearful of ſome defect in our title."* Diſcarding then a terror of ſo ungracious and ſuſpicious a quality, let us boldly inquire after the evidence of our right.

As God is the only ſource of right that reaſon or common ſenſe can recogniſe; and as man is a ſubject to whom a right is capable of being annexed; we are to inquire whether any right flowing from that Source, does *in fact* attach upon that ſubject, producing *a right in man:* which neceſſarily brings

* Blackstone's Com. B. II. p. 2.

us to the examination of the ſubject himſelf, or in other words to the ſecond object of our inquiry, *what is man?* ſince it is only by the ſolution of this queſtion that we can aſſertain the ſeveral properties and relations of man, and by that means diſcover whether the relation of *right* conſtitutes any part of the circumſtances of his nature.

In defining man, it is unneceſſary to be very minute; we are all ſufficiently inſtructed in his origin and nature. We ſhall therefore only ſtate, that man is a rational and intellectual being, whoſe preſent form of exiſtence upon earth is of a limited and ſhort duration; that he is a free agent, having the power of controlling the activity, and determining the tendency of the paſſions, by which his nature is moved towards the objects neceſſary for its well-being. That he is formed with a capacity for feeling pain and pleaſure; with a powerful averſion from the objects producing the one, and an equally ſtrong propenſity towards thoſe producing the other. That as he is an agent free to act or to abſtain from acting, ſo is he reſponſible for the uſe he ſhall make of that freedom. That the power of conſcience within him, aided by the energy of reaſon, can obtain him a ſufficient rule by which to guide his freedom of acting; and at the ſame time convinces him that his reſponſibility is juſt. And

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laſtly, that the concurrence of this reaſon and this conſcience, added to the univerſal evidence of nature and the conviction of mankind, eſtabliſh this awful and eventful truth, that he is the production of a ſupreme almighty Power, who poſſeſſes an unlimited *right* over him, and to whom he is correſpondently bound by the moſt unlimited *obligation*; from whom he derives, together with his being, every attribute eſſential to his well-being; to whom his reſponſibility is due; and to whom it muſt inevitably be diſcharged, as ſoon as the ſhort and temporary mode of his preſent being ſhall be altered.

In applying now the notion of right, which has been already defined, to the nature of man, which is here deſcribed, the queſtion of the rights of man aſſumes an aſpect widely different from that which it wears in the tribunes of ſedition. We diſcover it to be an inquiry of the moſt ſolemn and ſacred nature; and we find, that far from having any tendency to excite the bad and malignant paſſions of the heart, or to call into action the diſhoneſt artifices of the underſtanding, our minds and hearts become awed in the preſence of the Supreme Cauſe to which we find we have aſcended. And that which we ſet out in queſt of as an object of perſonal intereſt only, or of poſitive claim,

claim, proves upon diſcovery to be a queſtion of the deſigns of Providence and of religious reſerve.

If now it be aſked, whether any right appears to be annexed to man? we can only ſay, that no ſuch relation *immediately* appears on the character of man; that the moſt prominent and governing feature in that character is, his moral obligation, flowing from the abſolute and ſovereign right of his creator; and that it is only by proſecuting the inquiry, that we can aſcertain whether, or not, the relation of right really appertains to him.

We have ſeen that *right* ſignifies *title*; that every right or title is ultimately derived from God. We have alſo ſeen, that man is a reſponſible agent, created by, and reſponſible to, God. If then we will allow ourſelves to conſider what *right in man* would ſignify, it will appear that it muſt ſignify, *a title devolved by God on a being, who is at the ſame time reſponſible to Him for all his conduct.*

The firſt thing that this preſents to our notice is, that man poſſeſſing ſuch a title, would ſtand in reſpect to God under two relations; as the object of his bounty, and as the ſubject of his will; as deriving a privilege from God, and as being bound under a certain obligation to God. But

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it requires no great powers of diſcernment to perceive, that of theſe two relations, of being bound by certain conditions, or enriched by certain donations, there is a difference in order and priority. The plans of God are the occaſion of the former; the ſatisfaction of man would be the end of the latter. As much as the purpoſes of God are of more importance in the ſyſtem of the univerſe than the purpoſes of man; as much as the diſcharge of duty in man is of more conſequence to the ſcheme of the creation than his enjoyment of a privilege; ſo much the obligation of man muſt tranſcend every other relation in him. We can indeed, in ſpeculation, conſider man as exiſting without the relation of right at all; but it is abſolutely impoſſible to ſuppoſe him exiſting without moral reſponſibility, which is the very eſſence of his being, and without which he would belong to another order of beings, and no longer to the ſphere of man. To employ a rational agent, to give him being, and to preſcribe for him a ſphere of acting to which reſponſibility ſhould be annexed, was a determination of the divine will; it was neceſſary to the execution of the divine plan; but to accompany that being with circumſtances of pleaſure and enjoyment, which only can induce him to allege *a right*, muſt be an act of the divine goodneſs.—

Thus, the purpoſe of the divine will leads the way, and is the origin of our duty; the purpoſe of the divine benignity is conſecutive, and can be the only poſſible foundation of our right. Reſponſibility in man, therefore, muſt be antecedent to every poſſible title in man, becauſe reſponſibility is the evidence of the title of ſovereignty in God. "We "obey the laws of God—becauſe they are His "will, whoſe right to obedience is prior to any "other conſideration."* Whoſe right is univerſal, producing correſpondently an univerſal obligation to obedience. Now, if God's "right is prior to any other conſideration," and if our obligation to obedience is the firſt and immediate reſult of that right in regard of man, being in a manner commenſurate with it, or at leaſt inſeparable from it, it will follow that our obligation precedes our right, as much as God's right precedes it, with which our obligation or duty is in a manner commenſurate. Our obligation therefore is alſo "prior to *any* other conſideration;" prior of courſe, to any conſideration of privilege or enjoyment, of which the ſole purpoſe and end is, the gratification of our beings. All *right in man*, muſt therefore be ſubordinate to duty; for duty being the matter of re-

* Ellis's *Knowledge of Div. Things from Revel. not from Reas. or Nature. p.* 227.

ſponſibility,

ſponſibility, and reſponſibility being antecedent to every right, all right in man neceſſarily remains ſubordinate to duty.

Again, the ſubordination of right to duty appears in this; that if it be aſked, whether A. B. poſſeſſes any right, *e. g.* to life? it is impoſſible to anſwer that general queſtion otherwiſe than conditionally, by expreſſing that he has a right to life, *provided* he has done nothing to forfeit the right. But if it be aſked generally, whether A. B. is obliged to the performance of duty, or bound to obedience, the queſtion is anſwered abſolutely and without heſitation in the affirmative; it being impoſſible for man to do any thing that can liberate him from the obligation to duty with which he is born. As then the duty that binds man can never be removed, but the right that accommodates man may at any time be forfeited; it is evident, that duty in man is of a much more abſolute and adheſive nature than right.

In thus purſuing the argument of right in general, to the queſtion of right in man, which can only be determined by the nature of man, we find the ground of argument in the poſſeſſion of the queſtion of his duty, by which it is pre-occupied;

and which muſt be diſpoſed of, before we can poſſibly proceed farther in the inquiry after his right.

And here we may obſerve, that in defining the nature of right, we have only ſpoken of a true *poſitive right*; becauſe that only can be intended by thoſe who aſſert an abſolute, eternal, and inherent right; and have taken no notice of the relative notion of *negative right*, to which the imperfections of human ſociety have given riſe, and which annexes no real right, but only denies a right in others to annoy the poſſeſſion of any one, who occupies a property to which no poſitive right is produced. But this negative right is in itſelf no right, but a ſimple poſſeſſion, ſecured for a time by the negation of any right in another to diſturb it. Such a right reſembles that of a diſſeiſor in the opinion of the law; "that the diſſeiſor has only "the naked poſſeſſion, becauſe the diſſeiſee may "enter and eject him; but againſt all other per-"ſons the diſſeiſor has right; and in this reſpect "only can be ſaid to have the right of poſſeſ-"ſion; for in reſpect to the diſſeiſee he has no "right at all."* Now, to ſpeak of a negative right in man in reſpect to God, who would repreſent the

* Jacob's Law Dict. *Right.*

diſſeiſee

diſſeiſee in this compariſon; whom man has in a manner diſſeiſed of his right of obedience; who may at any time "enter and eject him," and who will ultimately do ſo without fail; is what no one wearing a ſound head and a ſound heart, can poſſibly think neceſſary; wherefore in determining the nature of right, we have only conſidered a *true and poſitive right*; which, whether it be in any degree annexed to man, we ſhall endeavour to aſcertain, when we have diſcharged the "prior "conſideration" of his moral obligation.

The duty of man, to which the unceaſing vigilance of conſcience, and the immovable burthen of reſponſibility, compel his attention, is made clear to him by the inſtruction of his reaſon. By reaſon is meant, not that multiform conceit laid claim to by thoſe, who are ſtrenuous to maintain, that every man has *a right to think as he pleaſes*; a poſition groaning with abſurdity, and which ſufficiently diſcovers how incorrect the popular and colloquial notions of right are. All that can be conceded to ſuch a propoſition is, that no man has a right to control the thoughts of another. But it is of very little conſequence whether any man has ſuch a right or not, becauſe it would be a control impoſſible to be exerciſed. The folly and fallacy of the propoſition is, therefore, expoſed by

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by a pious writer, by ſhowing its impoſſibility. " Liberty of thought (ſays he) there muſt be in " all men, good or bad, becauſe it cannot be pre- " vented; but the liberty of overt actions, which " is the only liberty that will pleaſe libertines, " there cannot be, till the laws of God loſe their " force, and ſociety itſelf be diſſolved." That man has no control over our thoughts, and that we are not reſponſible to man for the uſe we make of our thoughts, is undeniably true; but this eſtabliſhes *no right to think as we pleaſe*, as the words of the propoſition expreſs. Though man has no ſuch control, and can challenge no ſuch reſponſibility, yet God has that control, and will certainly challenge that reſponſibility. As the acts of man proceed from the thoughts of man, the Power who obliges to a proper production of the effects, obliges alſo to a proper employment of the cauſe. If we are compelled to a particular rule of conduct by God, we are neceſſarily compelled to a particular employment of our minds in order to that conduct. Man can indeed control the conduct, and by that means can prevent the ill effects of irregular thinking, though he cannot control the act of thought itſelf. But this is not ſufficient; for though " by means of hope " or fear, the bad thoughts of others may be re- " ſtrained, ſo as to produce no poſitively evil con- " quences,

" ſequences, yet the ſame means are not adequate " to render the thoughts in themſelves good and " profitable. So that he, whoſe mind is not rightly " diſpoſed will at leaſt often tranſgreſs by the omiſ- " ſion of his duty."* With God, therefore, reſponſibility extends to thought as well as to action; becauſe He has implanted in man a rule of wiſdom uniform as Himſelf whom it repreſents; and He binds us as much to direct our thoughts towards that guide of our acting, as to adapt our acting to the inſtructions of that guide. By reaſon therefore is meant, a faculty of apprehending truth (according to the degree of evidence with which it preſents itſelf) which is annexed to the nature of man; which perceives the obligation of man reſulting from the right of the Creator; and which, when fairly and attentively directed to the evidence preſented, leads the mind finally to the apprehenſion of the truth of revelation, and thereby to the fulleſt poſſible enlargement of the preſent ſphere of man's moral and intellectual nature; and to the completeſt inſtruction on the ſubject of his duty.

* " Quanquam fieri poſſit, ut aliquis ſpe, metuque pra- " vas cogitationes comprimat, ne noceant (quod tamen ægre " fit) tamen non efficiet ut proſint: Itaque qui non recte ani- " matus eſt, ſæpe peccabit ſaltem officii omiſſione." Leibnitz. T. iv. p. 278.

Man's

Man's duty is the over-ruling and determining circumſtance of all his being; it is the rule by which he is bound to regulate his natural freedom of acting; and which directs him ſometimes to obey, and ſometimes to control, the propenſities of his inclination. And the ſum of his obligation, that ſcore which conſtitutes the total of his reſponſibility is, the due obſervance, of his active and paſſive duties, by the guidance of reaſon, during the portion of time allotted him for exiſtence.

Such is the abſolute and indefeaſible obligation under which man is born; which is inherent in his eſſence, and prior to every quality his nature may aſſume. The diſcharge of this obligation in every individual, would be the fulfilment of the will of God; the accompliſhment of His deſign in creating man. If we ſuppoſe this deſign accompliſhed, its effect with reſpect to mankind would be, to render the life of every individual, free to the enjoyment of thoſe various comforts and ſatisfactions, which the munificence of God has provided, and which in that event each one might, without impediment, apply to himſelf. In theſe, the faculty of enjoyment, that ſo ſenſibly ſhrinks from pain or moleſtation, would meet its natural and genuine objects. Theſe comforts and ſatisfactions which are ſo provided, and capable of being

being ſo applied, on the entire diſcharge of duty of each, reaſon infers were deſigned to that end by their Author, who is at the ſame time the object of obligation and reſponſibility. That they were apportioned for the uſe of each on the event of that diſcharge of duty; and as all that any one can do towards obtaining them is, to diſcharge the ſum of his own duties, he aſſerts it to be unjuſt that others, by their breach of duty, ſhould prevent his enjoyment of that, to which he has himſelf complied with the condition required. He proteſts againſt the wrong, and alleges *a right*, on the ground of the determining purpoſe of God, diſcoverable by human reaſon.

The ſum of man's duty is the will of God in what reſpects man; the performance of that duty is the execution of the will of God; the conſequence of that performance muſt neceſſarily eſtabliſh the happineſs of all; the happineſs of all is therefore the practical reſult of the fulfilment of the Divine Will. But it is alſo the reſult intended; inaſmuch as he who wills the cauſe, wills alſo the effect, and the effect of obedience in each, is the eſtabliſhment of happineſs in all. They then who, having on their parts, diſcharged the duty aſſigned them, would apply to themſelves the benefits reſulting from that diſcharge; but find

themſelves unable to do ſo, from an obſtruction raiſed by the tranſgreſſion, or neglect, of duty in others, and who are therefore fruſtrated of that reſult, deſigned in the ſcheme of God, but counteracted by the agency of man; are ſenſible, that ſuch an iſſue is unjuſt, and contrary to that reaſon, by which only we become ſenſible of the will of God. They are convinced, that it is contrary to the rules by which God has conſtituted the human nature, and to the end for which he had deſigned it; that it is the inverſion of the order propoſed; that it was propoſed, that every one ſhould accompliſh the purpoſe for which he was created, by diſcharging his duty, and that every one ſhould, by that infallible operation, attain to thoſe gratifications to which it will inevitably conduct.—That as it is right in reſpect of God, that each ſhould fulfil the will of God; ſo it is right in reſpect of every ſubordinate being, that each ſhould enjoy the ſatisfaction conſequent on that fulfilment. That if any ſuch being ſhould become an obſtacle to another's enjoyment of thoſe natural advantages, he conceives that it is ſtill right that the other ſhould enjoy them, becauſe it is right that duty ſhould be fulfilled, and it is only by the tranſgreſſion of duty that ſuch an obſtacle can be raiſed. Here, then, he diſcovers the will of God to have ſo evidently deſigned thoſe ſatisfactions to be

be obtained by man; (being inſeparable from the accompliſhment of that will;) to have connected them ſo eſſentially with the diſcharge of moral obligation in man, which is the complement of the ſphere aſſigned him to fulfil; that, in reſpect of man, he affirms it to be juſt and and right that he ſhould be able to acquire, by the means preſcribed by God, thoſe ſatisfactions which the Divine Benignity has inwoven in the ſcheme of his creation; he affirms that he has *a title* to them, founded on that Benignity; and he aſſerts *a right* to the poſſeſſion of them, whenever that poſſeſſion is either invaded or prevented by the tranſgreſſion of others. And thus we arrive at the evidence of the moral quality of *poſitive right* annexed to, and exiſting in, man.

But it will not follow, that becauſe man's poſitive right flows only from his diſcharge of his duty, that therefore if any one does not diſcharge his duty, others acquire a right to diſturb him. Though this is to a certain extent admitted by reaſon, and is the foundation of all penal laws among mankind, yet it will not follow that every one individually acquires a right to annoy him, who does not diſcharge that duty to God which is the condition of his poſitive right. The moral government of the world allows of no ſuch out-

lawry. A man may hold a poſſeſſion, becauſe he has a poſitive right of property in it; he can alſo hold a poſſeſſion, becauſe no one may have a poſitive right to diſpoſſeſs him; and this is the negative right of which we have already ſpoken. Man holds the right he received from God, abſolutely, as long as he diſcharges the condition of his duty: he retains it in reſpect to men, after it is forfeited in reſpect to God, until the time aſſigned by God arrives for withdrawing it altogether. His right in reſpect to God is forfeited, whenever his conduct becomes intrinſically hoſtile to the will that devolved the right. Every deviation from the rule of duty would, in ſtrictneſs, annul the right, did not the mercy of God concede ſomething to the weakneſs and infirmity of man's nature; the whole ſcheme of which conceſſion is ſpecially and perfectly revealed by the diſpenſation of Chriſtianity. When then the conduct is eſſentially and intrinſically hoſtile to the will which is to prevail; the right conferred in order to be exerciſed conformably with that will, is virtually and neceſſarily forfeited, upon every principle of probability, analogy, and common ſenſe. But as no one can annoy, or diſturb, the individual whoſe *poſitive right* ſhould be thus extinguiſhed, without at the ſame time departing from the courſe of his own duties, and purſuing a conduct tending

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ing to forfeit his right alſo, (except in thoſe caſes which reaſon, and the intereſts of ſociety have, by common conſent, prèſcribed;) and as God has reſerved to his own final judgment the ſole cognizance of thoſe tranſgreſſions whoſe immediate object is, not the welfare of human ſociety, but his own abſolute and almighty will; the principles of human ſociety continue in their full force, notwithſtanding thoſe tranſgreſſions, until human ſociety ſhall terminate; and then comes on the ſettling of the ſcore. Then the great queſtion of the forfeiture of right, of the uſe and abuſe of the opportunities provided by God, come under final conſideration; and the determination of the circumſtances by which the being of each ſhall be accompanied during the reſidue of exiſtence, cloſes every retroſpect on life, and drops the curtain on the events of time.

But of what effect is this right; this denial of right in others to interrupt or bar our paſſage to happineſs, or this allegation of right in ourſelves to purſue it, if in fact ſuch an interruption may ſtill ſubſiſt, and if they who have performed the condition for obtaining it, can nevertheleſs not yet obtain it? Will it be ſaid, that if the right is *acknowledged*, it is a ſufficient ground to authoriſe the exertion of every energy of our nature, to remove

move the intervening obſtacles, and to take poſſeſſion of it? So doubtleſs it is, provided it be by the ſpecific proceſs prepared and authoriſed by Him who conferred the right. Otherwiſe, the right alleged, and on which we juſtify the purſuit, will become impaired, and even annulled, if the courſe we preſcribe for the purſuit encroaches on the boundary of duty; the obſervance of which on our part, is the ſole ground of our claim, and the tranſgreſſion of which, on the part of others, the only juſtification of our purſuit. By what means then can we acquire thoſe advantages which God has provided, when an obſtruction is raiſed on the part of man, without at the ſame time deviating from that path of conduct, which alone gives us a *poſitive title* to thoſe advantages?

The object we would purſue, is one flattering to our wiſhes, and attractive of our inclinations. The *object* of right, *that thing* to which a right is alleged, muſt neceſſarily be ſomething deſirable, ſomething the poſſeſſion, or proſpect, of which, creates a ſentiment of pleaſure or ſatisfaction; otherwiſe, it would not be purſued; it would be ſhunned, which is contrary to the notion of a right, which implies, a juſt and perfect reaſon for ſeeking or retaining that, which we are ſtrongly inclined to ſeek or to retain; thus rendering the gratification

gratification of our nature the end of our purſuit. But if we alſo make it the *rule* of our purſuit, if we call upon our wiſh or inclination to conduct us in the way, we court a guide unequal to the taſk; active indeed and officious; one that will undertake it without heſitation, and proceed in it without concern; but one at the ſame time deſtitute of the certainty required, and under whoſe direction we may preſently treſpaſs beyond the boundary of right, and thereby forfeit the claim which alone ſends us on our purſuit. Inclination, or deſire, is not therefore a competent guide, either to mark out to us the good things to which we are entitled, or to point out to us the channel by which thoſe good things can beſt be obtained. It fixes its eye upon the objects that pleaſe it beſt, and the ſhorteſt mathematical line to reach them, is the courſe which it naturally purſues. Our appeal then lies to reaſon. Reaſon has diſcovered to us what thoſe things are in general, that they are the various benefits of being and enjoyment, which, by God's appointment, would remain for every one's uſe, if all fulfilled the complement of their duty. It infers from this, that, if it were practicable, the way to obtain theſe benefits would be, to obtain the performance of duty; ſo far at leaſt, as the actions of men can have

have material influence on the happineſs of each other. It perceives, that it would be in vain to endeavour to produce the fruit from any other ſtock than that on which God has appointed it to grow; but that by cultivating that ſtock, the fruit will be produced in luxuriance. That all partial ſchemes for obtaining this end, ſuggeſted by ſelf-intereſt, and executed by paſſion, are unproductive of the fruit deſigned, and annul the right on which the ſcheme is endeavoured to be eſtabliſhed. Reaſon decides, therefore, that the mode to be purſued, in order to procure a general enjoyment of life, muſt be one that may produce a general performance of duty.

But how is this general performance of duty to be accompliſhed? God, in rendering man a free agent, withheld coercion or poſitive control from influencing him in action; and although his free-agency will be brought to account when his preſent mode of being terminates, yet, in the interval of human life, God has left him in the actual liberty to act or to abſtain from action; to obſerve the rule of action preſcribed to him, or to tranſgreſs that rule. How then, conſidering that the general tendency of man's will is in aberration from the rule of duty, can that leading intereſt of human life,

life, which can only be promoted by preventing the tranſgreſſion of natural duty, and enforcing its obſervance, be ſecured?

In a ſtate of nature, or of mankind exiſting in a ſtate of total diſunion, which ſome philoſophers have amuſed themſelves with imagining it, it is evident it could not. In that ſtate, where the natural freedom of doing good or ill would exiſt without direction, regulation, or controul; where the natural diverſity and inequality of characters, would operate their full effects; where the ſtrong would oppreſs the weak, the cunning circumvent the ſimple, the boiſterous overwhelm the timid, the wicked in a thouſand ways afflict the good; without any power of prevention, or mode of compenſation; in ſuch a ſtate, a *poſitive right* in man to advantages, formed only to be the reſult of an univerſal obedience to the moral rule, would be a ſpeculative, nugatory right. An object to tantalize the fancy and diſtract the mind, not one to gratify or conſole the heart. Such a ſtate would be a chaos of obedience and tranſgreſſion, a ſtate of remedileſs confuſion, of the moſt poſitive and radical inequality of enjoyment and ſecurity.

If man in the ſtate of nature, and left in the unreſtrained freedom of doing good or ill, is unable to attain to happineſs; what reſource is left, what means exiſt to help him to attain it?

We have ſeen that the perfect diſcharge of duty throughout mankind would, without further operation, eſtabliſh for each thoſe general advantages, to which our nature tends, and which, from the title, or right, we claim to them on behalf of the God of Nature, we are in the habit of expreſſing by the words, natural rights. If a ſcheme, therefore could be effected among men, that would enforce ſuch a diſcharge of duty, this ſcheme, as far as it went, would be a contrivance to ſecure and perpetuate right.

Such a ſcheme is civil government. Man's obligation to God comprehends the total of his duty; civil government concerns itſelf excluſively in enforcing the diſcharge of that portion of duty, by which the happineſs of mankind can be in any degree influenced; in order to realiſe that happineſs, and to obtain the preſence of thoſe circumſtances, which man eſteems to be the objects of his *natural right*.

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To ſay what theſe are, off hand as Mr. Paine has done, with ſo much facility and ſo much deciſion, is what no ſincere and conſcientious man will do. He will not doubt his ability, by the aid of inquiry, to diſcover them as effectually as Mr. Paine pretends to have done; and by the aid of argument, to eſtabliſh them at leaſt as ſolidly; but he will be thoroughly convinced, that inquiry and argument are neceſſary for his ſucceſs.

Man's right, as well as his duty, is to be collected from the deſign of God who devolved it. As we have ſhown it to be conſecutive on his duty, and ſubordinate to it, it follows that there cannot exiſt a right intrinſically hoſtile to, or deſtructive of, a duty. By our duty we are bound; "Firſt, "to the intereſts of the univerſe, or of God who "preſides over it; ſecondly, to thoſe of the hu- "man nature; thirdly, to thoſe of our particular "ſociety; by this ſubordination, in caſe of oppo- "ſition of intereſt, the will, or, if we may ſo ſpeak, "the utility of God, is to be preferred to the uti- "lity of the human nature; that of the human "nature, to the utility of any particular ſociety; "and that of the ſociety to which we belong, to "our own private utility." *The privilege *con-*

* "Primum mundo, ſeu rectori ejus Deo, deinde generi "humano, deinde reipublicæ: Hac ſubordinatione, ut in casû

 "pugnantiæ,

ferred by God on man, can never be paramount to the duty *impoſed* by God on man. Thus, man's duty being known in any one inſtance, there cannot exiſt a right, a true poſitive right, deſtructive of that duty. And if unbounded ambition, a thirſt of blood, contempt for religion, indifference for the quiet and comfort of mankind, are called forth into activity, they become the tranſgreſſion of the higheſt and the moſt ſacred portion of duty, and conſequently the forfeiture of every right. Thoſe crimes being eſſentially and eternally contrary to to the duty of man, and never to be reconciled to it on the ruffian plea of neceſſity.* For, as man's beſt rights are ſubordinate to all his duties, it is poſſible that a duty of forbearance might direct him to abſtain from the purſuit of the moſt allurring form of right; and they therefore who would promote the activity of thoſe paſſions, under the

" pugnantiæ, voluntas, ſeu utilitas Dei, ſi ita loqui licet, præ-
" feratur utilitati generis humani, et hæc utilitati reipublicæ,
" et hæc propriæ." Leibniz, tom. iv. p. 185. P. II.

* ——" Should I at your harmleſs innocence
" Melt, as I do, yet public reaſon juſt,
" Honor and empire with revenge enlarged,
" By conqu'ring this new world, compels me now
" To do, what elſe, tho' damn'd, I ſhould abhor."
—So ſpake the Fiend, and with *neceſſity*,
The tyrant's plea, excus'd his deviliſh deeds.
Par. Loſt IV. 389.

fallacious

fallacious pretext of eſtabliſhing a right, involve themſelves in the guilt, and of courſe in the forfeiture; nor can a mode be imagined for recovering the right, without returning within the precincts of duty, which conſtitute at the ſame time the boundary of right.

Many conſiderations, therefore, muſt precede a judgment given upon this queſtion. Reaſon muſt exerciſe herſelf on certain *data*, before ſhe can pronounce a deciſion, or deduce a concluſion; but leaſt of all will ſhe admit, without examination, and without tracing their connexion with truth, the promptings of intereſt and paſſion in their own cauſe; leaſt of all will ſhe ſurrender up her judicial authority, to the petulance and clamour of fancy and of error.

To ſpecify the natural rights of man, would be to enumerate every poſſible advantage or ſatisfaction that would enſue an univerſal and complete diſcharge of duty; which ſurpaſs the calculation, as they exceed the expectation, of man. This may be conſidered as the extreme ſpeculative point of man's right. A point of imaginary perfection, not more to be looked for in fact, than any other of thoſe perfections, which it is poſſible for the mind to ſurvey in contemplation, but which

which youth, ignorance, or enthuſiaſm only, can be idle enough to expect. Short of this extreme point, however, are many degrees of practicable enjoyment of thoſe good things we call our rights; abundantly ſufficient to anſwer every important purpoſe for which man is placed on earth, and to ſatisfy all thoſe inclinations, that reaſon will either encourage or approve. To attain theſe, he is propelled, ſometimes, by the impulſe of deſire, ſometimes by the inſtigation of duty; again, to regulate or check his purſuit of them, he is conſtrained by the force of conſcience, ſometimes by the poſitive prohibition of duty. To ſpecify or enumerate all the objects to which the right annexed to man has reſpect, would therefore be impoſſible, ſince thoſe objects vary their relation to man according as circumſtances vary, and according to the relative inſtructions of duty. So that what is one day the object of a right; another day loſes that relation altogether. Thus, the right to life, which is alleged to be a practicable right to-day, may be converted into a nugatory right to-morrow, by being caſt on a deſolate ſhore without the means of ſubſiſtence; or it may be forfeited, by the commiſſion of crime, that is by the tranſgreſſion of duty; or it may be overruled by a ſuperior right, as when duty, which is the right of God, directs to ſurrender it; or it may be ſimply with-

withdrawn, as it effectually is, when man is removed from the preſent ſcene of exiſtence. And this is ſufficient to ſhow us, how incorrect the notions of right, promulgated by the profeſſed heralds of the Rights of Man, are; with what inconſiderate haſte their equivocal nomenclature has been adopted; and what a tangle of thoughts and conceits this haſty adoption muſt unavoidably produce.

But, if it exceeds the poſſibility of human calculation to aſcertain *all* "*thoſe good things which God has provided*" to be the reſult of univerſal obedience, it may perhaps be poſſible to adduce ſuch of them as are of principal uſe and accommodation; ſuch as the human nature demands for the perfection of its different powers; we may be able to form ſome notion of that condition of being which would follow ſuch obedience, and uſe it as a general rule in delineating what we conceive to be, our natural rights, or, the genuine objects of that right or title which we affirm to have been annexed to us, by the bounty of the God of Nature.

And this we cannot better do, than by letting ourſelves inquire, without faſtidiouſneſs or fear, *Why* man is favoured with any ſuch privilege at all? This queſtion it cannot be difficult to reſolve; for, as the privilege is conferred by infinite wiſdom,

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the reaſon of man will moſt probably be able to trace out ſome motive or final cauſe, in reſpect of which it is conferred. And this will at the ſame time greatly contribute to determine, the nature and extent of the privilege itſelf. In a general view, thoſe objects are certain circumſtances neceſſary to the well-being of man, and conſtituting the beſt condition of his preſent nature: and the preſence of which, produces a ſentiment of complacency and ſatisfaction in him; the queſtion then is, Why is man endowed with the means of obtaining the preſence of thoſe circumſtances, and why does their preſence produce a pleaſurable ſentiment in him?

It is the natural effect of the continued action of the force of habit, to obtund and deaden our obſerving and ſentimental faculties, even againſt objects the beſt adapted to excite them; but if we can ſuppoſe ourſelves ſuddenly brought into being, poſſeſſing all thoſe faculties in their full perfection and vivacity, becauſe unimpaired by cuſtom, the viſible objects of nature would rouſe in us that ſentiment which Milton ſo beautifully aſcribes to Eve:

" That day I oft remember, when from ſleep
" I firſt awak'd, and found myſelf repos'd
" Under a ſhade on flow'rs, *much wondering whence,*
" *And what I was, whence thither brought, and how.*"

If

If we claim then the character of philoſophers, (and ſuch is the univerſal ambition of the age) let us awaken this reaſonable ſurpriſe, which forty or fifty years are not qualified to extinguiſh; and let us not wear our exiſtence like children, who never aſked themſelves that pregnant queſtion,

——"What am I, and from whence?"

Let us not ſhrink from an inquiry ſo aidful to the preſent argument. Why is man formed with the power of applying to himſelf thoſe advantages of outward circumſtance, by which the faculties of his nature are foſtered and brought to their beſt maturity, and which he calls his natural rights? The anſwer is obvious and concluſive. It is, in order that he may, without control or hindrance, execute the taſk for which he is placed on earth, and for the performance of which he is accountable; and the ſentiment of pleaſure is annexed, primarily, as a ſtimulant to urge him to purſue the ſituation in which his powers may be beſt qualified for the diſcharge of his duty; ſecondarily, as a proviſion of bounty, to render his inevitable exiſtence a circumſtance of delight. For that his exiſtence, in reſpect of himſelf, is inevitable, appears from this; that it depended in no degree upon his own conſent, but upon the abſolute will of Him whoſe purpoſe it ſuited to employ him in the ſcheme

of His creation; and from this alſo, that let him ſtrain and ſtruggle as he will, he can never detach from himſelf the growing burthen of reſponſibility, until it be finally removed by the ſame terrific and almighty hand that firſt attached it.

The end of this privilege, then, appears to be, firſt, to enable man to poſſeſs his being free for obedience to the will of God; and ſecondly, to render that being happy and delightful to himſelf. But the firſt of thoſe purpoſes is, in every reſpect, anterior to the latter. Man knows the duty to which he himſelf is obliged, and in knowing this, he knows the rule by which every other man is obliged. The obſervation of this rule is the ſum of each man's obligation, the meaſure of his reſponſibility; and from that obſervance flows the poſitive right he derives to thoſe things, which, unhappily for preciſion, he has alſo choſen to call his rights. To obſerve this rule is to purſue the courſe that leads to the right to, and to the poſſeſſion of, happineſs. To purſue that right and that poſſeſſion by the only courſe preſcribed by God, would be to diſcharge the complement of our duty, and to fulfil the end of our being. Here, then, is an intimacy which nothing can diſſolve, a relation which nothing can diſturb. He that will diſcharge the condition of his nature, will eſtabliſh a poſi-

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tive right; he that would acquire a poſitive right, muſt diſcharge the condition of his nature.

The negative right above ſpoken of, which, as we obſerved, is in fact no right, but only actual poſſeſſion ſecured for a ſhort time by the non-exiſtence of any human right to invade it, may ſatisfy thoſe who terminate their views and ſpeculations in this narrow and ſordid ſphere of being; it may, for the preſent, anſwer every end of ambition, of plunder, of cruelty, of revenge, of oppreſſion, but it will never, even here, be able to ſupply the place of that true, poſitive right, deſigned by God's goodneſs, in the mind of any one who is conſcious of the nature he wears; who values happineſs only according to its permanency; and who has accuſtomed his reaſon and his ſentiment to ſwell to the extent of that duration, which all the efforts of impiety and wickedneſs cannot abridge; and to which they who ſhun it, equally as they who court it, will at laſt be obliged to ſubmit.

As each one is bound to the condition of duty, each, while he diſcharges his own duty, may reſiſt any interruption he might experience from another's deviation from the courſe of his duty. He can do this upon two grounds; firſt, becauſe ſuch an interruption may not only obſtruct his perſonal gra-

tification, which is a ſecondary conſideration, but it may alſo obſtruct the ſervice in which he is employed by God, which is his principal concern; ſecondly, becauſe the ſatisfactions which are provided to be the reſult of univerſal obedience, can only be obtained by that obedience, and each can only contribute the ſum of his own obedience. So that he is *obliged* to reſiſt the interruptions he might experience in the diſcharge of his duty, by the tranſgreſſion of duty in others, unleſs when the rule of obligation prohibits the reſiſtance; and he is *authoriſed* to exerciſe the right his obedience has given him, in obtaining what the tranſgreſſion of others deprive him of, by compelling that obedience which only can procure it.

Here, then, man is directed by duty, to employ active means for controlling the tranſgreſſion of others, whenever it interferes with the diſcharge of his duty, in all caſes where that duty does not enjoin ſubmiſſion; and he is privileged by right, to employ active means of acquiring for himſelf thoſe advantages, which the tranſgreſſion of others only can withhold from him, unleſs where the ſame duty enjoins forbearance; ſo that, in both caſes, the regulation of man's conduct remains ever and equally under the abſolute control and direction of duty.

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All this, however, in the way of *fact*, man *can* do, and apply all these benefits to his own use, even though he have forfeited his positive *right*, provided he has not transgressed in those particulars which entitle society to abridge him of that capacity. For, as God has reserved the cognizance of these cases entirely to himself, and has not left to us the liberty " of judging of another man's " servant;" as long as life continues, every such person can assume the benefits due only to obedience, on the same principle as the " *sun is made* " *to rise* equally *upon the just and the unjust*;" and he may challenge the duty of others, equally as if he discharged that condition which alone can give him a true title so to do. He may thus pass the residue of his life in abuse of the regulations of God; a sort of privileged usurper; but the advantage, if any it is, can be but of very short continuance, and is obtained at the dreadful price of an insolvent responsibility. But these being infractions of, and therefore exceptions from, the general plan, they of course form no part of that statement, in which our only aim is to establish the truth.

The right use of the power and faculties of man, is the object of duty; these powers and faculties are confided to his care; and he is not only to use them

them well on every diſtinct occaſion, but in general, to maintain them in the beſt condition attainable. If the departure from duty in others goes to invade thoſe powers or faculties, we muſt reſiſt and repel the invaſion; in doing which, we diſcharge a duty; but at the ſame time, in conſequence of an union eſtabliſhed by the divine goodneſs, we acquire a gratification. The diſcharge of the duty however is the firſt in order, as it is in importance. If we made the latter our firſt motive, we ſhould have no certain rule by which to act; for gratification is to be found in innumerable objects, entirely diſtinct from, often directly contrary to, our duty. We ſhould preſently exceed our right, and loſe it inſtead of confirming it. When duty ceaſes to direct us to ſuch reſiſtance, prudence commands us to halt; we have loſt our only infallible guide; perſonal ſatisfaction is the only candidate to ſucceed her; and the vicinity of error cautions us not to hazard an advance, leſt we find ourſelves in rapid progreſs beyond the line of duty, and riſk to ſacrifice the right for which only we contend. As the will of God is what moſt concerns a moral and reſponſible creature; and as, when that will is ſatisfied, the principal concern of man is ſatisfied, we may reaſonably remain contented with the ſatisfactions which an unreſtrained power of diſcharging our obligations to God will afford; eſpecially

cially as the bounty of God has ſo enriched the world with means of enjoyment, adapted to every ſituation in it; and as even the practicable degrees of obedience attainable amongſt men, furniſh every thing that man's nature can abſolutely need, or reaſonably deſire.

The rule of duty, as it is the general rule provided in nature, ſo it is, at the ſame time, the moſt diſtinct and ſatisfactory one for aſcertaining what our nature abſolutely demands. When we are conſcious that the diſcharge of a duty is required of us, and that it is within our power to remove the impediment that obſtructs us in the diſcharge of it, then the removing the impediment incorporates itſelf into the duty to be diſcharged, and becomes a part of it. If it be our duty to repel an intruſion, by repelling it we diſcharge a duty. If the intruſion be at the ſame time, afflictive of our feelings, as well as obſtructive of our duty; if the removal of it procures us thoſe benefits we call our rights, as well as enable us to diſcharge thoſe obligations we call our duties; in purſuing the right we diſcharge a duty, in diſcharging the duty, we eſtabliſh a right. Such is the indiſſoluble union, eſtabliſhed by the goodneſs of the Creator, between natural duty and right in man; between that abſolute and indefeaſible obliga-

obligation under which man is born, and that original and comprehenſive right annexed to his nature by its Author, which our adverſaries, if they mean any thing, muſt be ſuppoſed to mean, by "*abſolute right.*" "Thoſe abſolute rights which are "veſted in him by the immutable laws of nature," and which, "ſuch as are ſocial and relative reſult "from, and are poſterior to. Thoſe abſolute rights, "which are uſually ſummed up in one general "appellation, and denominated the natural liberty "of mankind—being a right inherent in us by "birth, and one of *the gifts of God to man* at his "creation.*" "This is the *only true and ſolid* "*foundation* of man's dominion over external "things, whatever airy metaphyſical notions may "have been ſtarted by fanciful writers upon this "ſubject.†"

Man is not to quarrel for his rights, like children for their cakes or toys; as if the whole purpoſe and end of them was to gratify his individual propenſities. The endand purpoſe of right in man, or of the moral power of acquiring thoſe outward circumſtances which have been called his abſolute rights, is, to render his being as perfect as it will admit of. But for why? Not primarily for the

* Blackſtone's Comm. b. i. p. 124—5. † Ib. b. ii. p. 3.

plea-

pleaſure, amuſement, or indulgence of man. No one who has ever reflected upon Infinite Wiſdom, can hold ſo coarſe and ſottiſh a belief. But it is, to render him a more free and efficient agent within his department, to execute the purpoſe of God. It is, that he may be under the beſt circumſtances for accompliſhing the deſign of Infinite Wiſdom in the ſphere preſcribed for him, and with which his real happineſs is indiſſolubly linked. In proportion as the actual ſituation of man is deſtitute of thoſe circumſtances, or removed from that perfection; and that he feels himſelf unable to purſue the courſe that he is conſcious is preſcribed to him, without exerciſing his active powers in overcoming impediments obſtructing that courſe; in the ſame proportion the efforts he makes to emancipate himſelf from theſe conſtraints, become the diſcharge of that duty, which, as it requires a good employment of his powers, requires neceſſarily the maintenance of thoſe powers in the beſt and the moſt free condition attainable. On the other hand, in proportion as he poſſeſſes theſe favourable circumſtances, and approaches to that perfection, the neceſſity of ſuch efforts diminiſhes, and the right remaining to be ſecured is reduced. But if at any time he is ſo inveſted with the circumſtances required for his well-being, and approximates ſo nearly to that perfection, as to poſſeſs the full

and free agency of his reſponſible faculties; to be able to expand his nature to the wideſt capacity of the ſphere in which his creator has placed him, and to diſcharge his duty without moleſtation or conſtraint; then, the duty of ſelf-emancipation ceaſes with the occaſion for it, and of courſe all the right, which cannot outlaſt the occaſion. And every degree of violence employed, every interruption of general tranquillity produced, with a view only to promote the intereſt of perſonal ambition, or to obtrude the ſpeculations of enthuſiaſm, under the pretext of aſcertaining a natural right, being deſerted of the only ground of reaſon that could give it ſupport as ſuch, becomes an unqualified and bare tranſgreſſion of duty; and is a crime aggravated in its nature, in as much as it has the audacity to plead *a natural right*, which ſignifies a *title*, or *grant*, conferred by God, at the very time that it is openly and impiouſly tranſgreſſing his commands.

How this may apply to England, we leave it with YOU to determine. Look back to the paſt hiſtories of mankind. Look forth upon the preſent face of human affairs. Look to the principles of that Conſtitution which, till the French eruption, we were all taught to revere; and to the practical bleſſings flowing from it, which we ſtill do

do not ceaſe to enjoy; and then do YOU pronounce, whether *this* is the country, in which the nature of man is deſtitute of the circumſtances, that enable him to execute freely the great purpoſe for which he was placed on earth; whether *this* is the country, in which man's nature may not attain to the greateſt degree of perfection, (conſequently of natural happineſs,) attainable by man? And if this is not the caſe; if the contrary ſhould prove to be the caſe; if the annals of our diſtinguiſhed nation, the biography of our illuſtrious countrymen, our own unvarying experience, and the concurring ſentiments of every rival people, exclaim againſt the ingratitude and blaſp' emy of ſuch a doubt; then, neither is it the country in which ambitious violence, or turbulent intrigue, can eſcape the abhorrence of the reaſonable and virtuous portion of mankind; the curſes of a neglected and defrauded poſterity; and, what is far worſe, the fulleſt meaſure of condemnation, at the future tribunal of heaven.

What has been ſtated, ſhows the nature, origin, and end of natural right in man. It is communicated from God, who has annexed it to our nature; and made it dependent on the fulfilment of that obligation, by which we are bound, antecedently to any annexation of right. In annexing a right to our

nature, God aſſigns over to each of us an intereſt in that general obligation, by which all are bound to Him. For as right and obligation are reciprocal, (all right neceſſarily producing a correſpondent obligation) and as the obligation by which man is bound in duty to man, is no other than a part of the obligation by which all are bound in obedience to the will of God; it is clear, that the right which man is enabled to claim in reſpect of man, and which produces a correſponding obligation, can be no other than the ſovereign right of God, partially and conditionally communicated by Him to man. The notion of right in man, therefore, ſprings from a notion of obedience, or, of duty diſcharged on his part. Its genuine objects can only be obtained, by an univerſal diſcharge of duty. To produce this general diſcharge of duty, (at leaſt in ſuch reſpects as influence in the intercourſe between man and man) as the only practicable method for obtaining thoſe objects, is the deſign of civil government; which is employed, in contriving the means for producing that conduct from whence the general good may reſult, and in putting thoſe means into execution.

Duty, therefore is the *rule* by which civil government acts, in order to attain the *end* for which it was deviſed, namely, the happineſs of mankind, during their

their tranſient exiſtence upon earth. That it has been ſo conſidered by the beſt and wiſeſt of men, from the firſt dawn of civil polity, to its full meridian in Britain, might be ſhowed by an hoſt of evidence. But ſuch evidence would contribute nothing towards determining the preſent controverſy, in which a formal appeal is made from the collective energies of reaſon, and her moſt applauded deciſions in time paſt, to the colluſive aſſertions, and canvaſſed aſſents, of the intereſt and paſſion of the day. We therefore wave the venerable ſupport we might bring to the argument from that evidence, and content ourſelves with ſhowing, that without reference to times paſt, or to any extraneous authority whatever, if they will only conſent to let reaſon at the preſent day be arbitrator in the diſpute, ſhe will decide and demonſtrate to the fulleſt conviction, that duty is the only poſſible rule or baſis of civil government; and that no poſitive *right in man* can be deduced, or imagined, that has not its origin in a notion of duty.

If we would, in a few words, expoſe the reaſon of that prodigious difference which appears between the ſyſtem of ſociety propagated from the French eruption, and every other that the practice of mankind had before experienced, or the ingenuity of philoſophers deviſed, it perhaps could not be more

more clearly done than by ſaying, that every other ſyſtem of government, every other form of ſocial union, every diſcourſe on human law, every treatiſe on juriſprudence, has laid its firſt foundation in, *the duty of man.** They have conceived it to be the natural and neceſſary ſource of every good that law, government, or ſociety, can poſſibly intend; the only rule by which it can be obtained. France, on the other hand, labours to make *right*, or, as they equivocally call it, the *the rights of man*, the baſis and rule of all government. To their arbitrary, uncertain, and fluctuating notions of this right, they endeavour to ſquare and bend the nature of duty; inſtead of uſing the diſtinct, unalterable, and only unerring rule of duty, to trace out the natural form and real proportions of right. When we conſider this new ſyſtem, in compariſon with what the world had conceived before that inſtructreſs opened her ſchool, we appear to ſee two cones, the one inverted and labouring to erect itſelf upon its apex, the other ſtanding on its broad foundation, and eſtabliſhed without effort by the immutable laws of nature.

* "Rationi valde conſentaneum exiſtimem, politicas inſtitu-
"tiones *exordiri* ab illa prima philoſophiæ moralis parte, quæ,
"velut unica vitæ hominum rectrix et magiſtra, *ſingulos ſui*
"*muneris ac officii admonet.*" *Bibliogr. Politica Naudæi.* Grotii. Diſſ. 12mo.

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When Plato conſidered the effects of civil government, and the benefit that it was enabled to impart to mankind by reſtraining crime and compelling to duty, his admiration drew from him the doubt, whether it were not a ſcheme of divine original, a contrivance communicated from God * to man. Though Plato may be derided, or forgotten, in France, though he may be without authority in England, yet every feeling and thinking perſon will recogniſe the ground of his admiration, and will diſcern, that if civil government was not formally communicated from God, it neceſſarily aroſe out of the proviſions of God, the relations of man, and the inſtructions of reaſon. It had one general end, common to every local ſituation of man, namely, the acquirement and ſecurity of thoſe advantages which can only be withheld from the obedient by the tranſgreſſion of the diſobedient; and it employed one univerſal mean to attain its end, namely the coercion of crime, and the compulſion to duty.

Theſe advantages, common to every ſituation of man, becauſe adapted to the common nature, conſtitute the natural object which the right annexed to man reſpects. Theſe, by abuſe of language, are in common phraſe called, the natural rights of

* Θεὸς ἄρ τις ἀνθρώπων ὑμῖν, ὦ ξένοι, εἴληφε τὴν αἰτίαν τῆς τῶν νόμων διαθέσεως; Κ. Α. Θεὸς, ὦ ξένε, θεὸς ὡς γε τὸ δικαιότατον εἰπεῖν. *De legibus*. I.

man

man; from being the appropriate object of the right annexed to his particular nature, by the Author of univerſal nature.

In attempting to aſcertain what theſe are, it is of the higheſt importance to be careful to diſtinguiſh, between the inſtructions of reaſon, and the promptings of paſſion. As the objects that can induce man to aſſert a right, muſt poſſeſs allurements to intice him to purſue them, and as every object that flatters or pleaſes the paſſions, poſſeſſes ſtrong allurements alſo, it is of extreme conſequence to diſcriminate, between the conſent of reaſon, and the propenſity of inclination; between thoſe allurements, towards which reaſon favours the propenſity, and thoſe, towards which the propenſity is wholly urged by the activity of paſſion; leſt by miſtaking the one for the other, endleſs confuſion and miſadventure ſhould enſue. To endeavour, therefore, to aſcertain the proper object of a right annexed to man, ſolely by the quality of the temptations they may preſent; that is, by the relation they ſhall bear to our inclinations and our wiſhes, and not to that fundamental reaſon which alone eſtabliſhes the right to them, would at the beſt be equivocal; and would furniſh us with no ſubſtantial evidence that our inquiries had been ſucceſsful. It would be inclination appealing to its own verdict; there would neither be authority nor proof. Such a proceſs

ceſs might advance the intereſts of anarchy or ſedition, but would be radically deſtructive of the intereſts of civil government.

If truth is the object (and we are to ſuppoſe it to be ſo till we have either proof, or *very ſhrewd reaſons to ſuſpect* that it is not) we muſt look for ſome teſt by means of which that truth may be tried. Of the validity of this teſt reaſon is to judge; but reaſon diſcovers no ſuch validity in the plea ſet up by inclination or deſire, unſupported by other authority. Where then can we look for ſuch a teſt? we have ſeen how intimate an union ſubſiſts between duty and right in man; that they, in a manner, ſhape each other's courſe; that they confine on each other's territory, that the outline of duty, becomes at the ſame time the delineation of right. From the well-examined country of duty, we are to proceed in queſt of diſcoveries, in the unexplored, or uncertain diſtrict of right. The duty of man we know; with this given quantity it will not be difficult to obtain the produce of right. It is a rule that cannot miſlead us. It offers nothing to allure our paſſions; it comprehends nothing to bias our judgment, but rather to rouſe it to a ſcrutiniſing jealouſy. Right, on the contrary, preſents nothing but allurement, nothing but perſonal ſatisfaction. In the inquiry after duty there-

fore, our ſelfiſh paſſions are at reſt, and the energy of reaſon is employed, without importunity or hindrance, in determining its claim.

The duty of man has different immediate objects; in relation to theſe, moraliſts have claſſed, his duty to God, his duty to his fellow, and his duty to himſelf. The rule of theſe duties is apprehended by his reaſon in different degrees of evidence and perſpicuity, according as it collects it, either from the effort of private reflection; or, from the united energies of man, unaided by ſuperior light; or from the communication of truth from the ſource, imparting to man a thorough and complete knowledge of his own nature, and of the ſovereign will, which is the only ultimate rule of human action. In whichever of theſe degrees of evidence man is able to acquire the knowledge of that will, whether it be from the law of nature, or from that of revelation, the moſt perſpicuous and comprehenſive within his power to obtain conſtitutes the rule of his ſeveral duties; all of which compoſe the ſum of his obligation, the meaſure of the ſervice for which he was placed on earth. To inſtigate to the diſcharge of theſe duties, God placed in us conſcience, which propells to this diſcharge, according to the degree of exerciſe it has received; and he has annexed to

their

their diſcharge certain enjoyments, congenial to our natures, which allure us to diſcharge them. Thus wiſely providing both for the firſt impulſe towards duty, and for its final accompliſhment. So that to effect the purpoſe of God, and to procure the happineſs of man, requires the ſame proceſs.*

To obtain this double end, to promote the ſervice of God, and the conſequent happineſs of man, the Creator laid in him thoſe principles, which immediately produced the fruit of ſociety ripening into government. They anticipated the wild inequality of nature, and confirmed each on the ſame juſt level of individual ſecurity. Thoſe whoſe

* It is on this account that pious writers are apt to inculcate, that the happineſs of man is *the end* of God in creating him. That it is *an end* of his creation, we have the fulleſt and moſt affecting evidence; we perceive that it is an inevitable conſequence of the accompliſhment of the divine will; that it is therefore a part of the divine purpoſe. But, to ſay therefore that it is, excluſively, *the end* of his being, is what we are not authoriſed to pronounce. It is enough for us, that it is a neceſſary conſequence of the execution of the divine plan in the creation of man. But as it may be only a partial and collateral conſequence; and as there may be other deſigns within the ſcope of Infinite Wiſdom, in introducing the moral agent man into the univerſe; it may be a ſource of error, and an occaſion of preſumption, to aſſert that the happineſs of man was *the ſole end* of his being; and it anſwers every moral purpoſe, for man to be well aware, that extreme and eternal happineſs is *an unavoidable reſult* of his conforming with the rules preſcribed for his acting by the ſovereign will.

exceſs of force would have induced them to moleſt the common purſuit of happineſs, were abridged of their injurious vigour, and reduced to the general level that the rule of duty preſcribed. Thoſe whom natural weakneſs or timidity withheld from the benefits they might rightfully have aſſumed, were invigorated from the collective ſtrength of the union, and raiſed to the ſame level of ſecure exiſtence.

How that collective ſtrength was firſt produced; how government gained its original aſcendency; and how the rebellious will of man that government is eſtabliſhed to control, ſo far controlled itſelf at firſt, as to ſubmit to the conſtraint of government, has been a matter of juſt aſtoniſhment in every age of wiſe reſearch. Certainly it never happened as ſome theoriſts have aſſumed; that men, actuated by a general impulſe of wiſdom, met to concert a regular compact of union, or form of ſubordination. The very eſſence of government; which is, *coercion*;* and its object, which is, *man*

* "The deſign of polical ſociety is, to ſecure the tranquillity "of all its members. In order to this, it was neceſſary to take "meaſures for ſuppreſſing all attempts to diſturb the public "peace. Experience has diſcovered, that the ſupport of ſociety "depends entirely on the *coercive power*, which by exemplary "puniſhments intimidates the wicked, and balances the allure-"ments of pleaſure, and the ſtrength of the paſsions." Goguet. *Origin of Laws*, &c. V. 1. p. 19.

himſelf

himſelf; render this conjecture inadmiſſible. The growth of government can be traced with much fairer internal evidence of probability, on the ſcriptural foundation, by ſuppoſing mankind to have ſpread out from one original family, inſtructed by the Author of their reaſon, and extending patriarchal authority, till it became ſupplanted by ſome other more comprehenſive.

Such was the general nature, deſign, and end, of ſocial regulation. But the extent of the habitable earth, the prodigious numbers of the human race, and the influence of various concurring cauſes, occaſioned man to form different and diſtinct ſocieties. A ſcheme of government comprehending all, would have been in various reſpects impracticable and unneceſſary; wherefore mankind, being divided by the progreſs of events, and by other incidental cauſes, into different aſſociations, each of theſe exerted itſelf to accompliſh that ſcheme, which was to be productive of ſo much benefit to all, But hence aroſe various diverſities in the modes which each deviſed, while they provided their reſpective regulations, eſtabliſhed their particular cuſtoms, and conſtituted the artificial organs by which wiſdom was to direct, and power act, for the welfare of the whole. Theſe modes being differently influenced in different

ſocieties

ſocieties, by partial and local circumſtances, or by peculiar occurrences, induced different characters of ſtates; reſembling each other neceſſarily in this only, that they ſought the ſame general end, by the ſame general means; but at the ſame time, and under the control of that general principle, they admitted various diſtinct, and ſubordinate principles for their reſpective ſocieties; ariſing from climate, ſoil, extent, and other relative conſiderations. The firſt, and governing principle, reſpected man's abſolute nature; the ſecond, and ſubordinate principle, reſpected man's relative ſituation. Here was a great field for the characters, paſſions, vices, virtues, and talents of men to diſplay themſelves; each of which more or leſs aided to influence the circumſtances of every particular ſociety. In ſome, the great original purpoſe of government was better executed than in others. Some exhibited more, and ſome leſs ſkill. In ſome, the paſſions were more, in others leſs, reſtrained. In ſome, the energies of the mind, the foundations of moral duty, the arts of life, the principles of ſcience, were more, in others leſs, cultivated. In all, two rules were profeſſed or implied; namely, firſt, the general rule in reſpect of which government was *originally* eſtabliſhed; ſecondly, the particular rule according to which the particular ſociety was *actually* arranged. The firſt comprehended

thoſe

thoſe general intereſts of man's nature, which it is eſſential for him to ſecure; the ſecond included thoſe particular intereſts of man's ſituation, which it is highly convenient for him to poſſeſs. The firſt of theſe form what are intended by the phraſe, *natural rights*; the ſecond, what are intended by the name of *civil* or *municipal rights*. The rule of the former is the abſolute will of God, obſcurely adumbrated by the law of nature, but accurately defined by the law of revelation; the rule of the latter is the notorious practice of the ſociety, diſtinctly expoſed by the evidence of enacted laws, and immemorial uſage. If the laws and cuſtoms of a ſociety, comply with the will of God in what reſpects the natural duty of man, by binding each one, without reſpect or favour, to the obſervance of that duty, which all muſt obſerve in order that each may be enſured of enjoying his natural right; they are at full liberty to eſtabliſh their forms, as circumſtances ſhall direct; nor can any reaſonable appeal be madefrom the varieties of ſuch a government, to any rule whatever of natural right, which refuſes to take cognizance of all ſuch matters. As long as ſuch a ſociety continues not to infringe upon that ſacred object, natural right is ſatisfied. The wiſdom of ſucceeding generations under ſuch a government, being exerciſed on matters within its own experience, the accumulation of their labours

labours conſtitutes the moſt ſecure and ſolid baſis upon which civil ſociety can poſſibly reſt. Nor can any call for internal change, in ſuch a government be urged, upon a plea of natural right; all the claims of which are fully ſatisfied, whenever all are equally conſtrained by the operation of the force of law. And if, of two ſocieties, in each of which this great object ſhould be *ſecured*, the one ſhould exiſt a republic and the other a monarchy, it would be a crime of the ſame ſpecific quality for a party to endeavour, to erect the former into a monarchy, as to depreſs the latter into a republic; becauſe in both caſes it would be an offence againſt the fundamental law of the polity; which, when the claims of natural duty and natural right are ſatisfied, conſtitutes the higheſt authority to which, under God, man is obliged to ſubmit. If on principles agreeable to wiſdom, and by means conſiſtent with duty, the ſociety were to produce that change, there would be no blame, there would even be a right; but it is not the deſire of forty or fifty leaders, of ſix or ſeven clubs, of eight or ten thouſand mutineers, that can conſtitute a ſufficient and reaſonable ground for diſturbing a ſyſtem under which eight millions of individuals live in the ſecurity of their lives and liberties; in the practical enjoyment of every object to which the Creator has conveyed, them a right; and in the unmoleſted profits of their labour, ingenuity, or induſtry.

To fix the boundary of natural right, to ſay what every man *may* do, we muſt look to the rule we have ſo repeatedly enforced, and ſay what every man *muſt* do; we muſt look to duty, and by its aid delineate right. We muſt look to the duty required of him who would exerciſe a right, and to the duty required of him who would invade or impede that exerciſe; for if all perform their duty, that is, if each does his own duty, ſo that no one annoys or moleſts another, each is virtually in poſſeſſion of every object to which he has a right, the bounty and providence of God having diſpoſed the objects to which he has communicated a right, within the reach of human induſtry.

We are told in an authoritative tone, that man's natural rights are *life*, *liberty*, and *equality*: To any fair reaſoner we would grant this poſition, becauſe ſuch an one would not make a ſwindling uſe of the conceſſion, but would take care that the terms he uſed ſhould be uniform in their meaning, and defined in their extent. We would grant the poſition upon this fair ground, that man has a *right* to retain his *life*, as long as it pleaſes God he ſhould do ſo; that he has a *right* to a *free* uſe of thoſe natural faculties for the exerciſe of which life was given him; and that *all men* have *equally* a *right* to thoſe benefits. But it is impoſſible to

make this conceſſion to the antagoniſts who ſtand oppoſite to us in the controverſy, without burthening it with tedious limitations; becauſe the ſame equivocation that we have perceived to exiſt in their word *right*, extends itſelf to every word in their vocabulary.

That we may not, however, appear to decline the queſtion under any form, and thereby virtually to concede that which we altogether refuſe, let us endeavour to diſcover in what way man can claim a right to ſuch things as are conveyed to the underſtanding by the words, *life*, *liberty*, and *equality*. Man is created by God, and endowed with reaſon; a ſphere of action is aſſigned him, and he is rendered ſeverely accountable for his uſe of it. He is thus placed in life firſt of all for that end, and his *life* is the firſt circumſtance neceſſary for accompliſhing it; ſince, by extinguiſhing *the life*, the whole agency is at once deſtroyed, and the purpoſe entirely defeated. That man ſhould *live*, was therefore God's will; and deſtroying the life, in its firſt effect, is counteracting the will of God. There is no great myſtery in the right to life; if man is to perform a ſervice, he muſt *live* in order to do ſo. As life is rendered, by God's goodneſs, an object of deſire, as well as of obligation, man adheres to it independently of duty;

duty; but ſtill, as the means of defending it are confided to him, he is to maintain it as the *ſubſtratum* of the agency veſted in him. But he has alſo a diſtinct and perſonal intereſt in retaining life; it was given him, firſt for uſe, and next for enjoyment; the ſecond conſequence of impairing life is, impairing the rightful intereſt of man. Man reſigns up his life to the Donor without conceiving the notion of a *right* to retain it; but if any but the Donor threatens to diſturb it, unleſs it be in evident conformity with the will of the Donor, the notion of a duty to defend it, and of a right to preſerve it, ſuggeſt themſelves to his mind. The former, as he looks to God, to whom he is accountable for it; the latter, as he looks to his adverſary, who has no authority to diſturb it. Man *muſt* live to be able to fulfil the ſphere aſſigned him, till God diſpenſe with the neceſſity; man *may* live, and avail himſelf of that permiſſion in the moſt effectual manner (provided he does not attempt to ſatisfy his perſonal inclination by means adverſe to the will of God) until God withdraw the permiſſion. Man's life, on a general aſpect, preſents itſelf to our thoughts in no other way than as a matter of fact. In reſpect of any unjuſt attempt from man to impair it, it may be alleged an object of right holden of God; but even then its defence is no leſs a matter of

duty alſo. And though we may defend it with greater alacrity on the ground of right, as feeling the urgency of perſonal intereſt, yet we are called upon to defend it on the ground of duty alſo, until duty forbid us to defend it, and then ſurely the right to defend it ceaſes altogether. Such appears to be the nature of the *right to life*, as far as we can render it intelligible to our underſtanding.

The right to *liberty*, ſeems to flow neceſſarily from the right to *life* juſt explained. For, as it is neceſſary *to live*, in order to *hold* the agency aſſigned to us; ſo, in order to *execute* that agency by the rule preſcribed, it is neceſſary to be *free* to do ſo; that is, that our beings and faculties ſhould be free from all unreaſonable and vexatious conſtraint, embarraſſing or impeding the execution of our office. If we ſuppoſe the rule of duty faithfully and univerſally obſerved, and duty diſcharged on all parts, every man will have acted without the hindrance or impediment of others; this is the *firſt degree* of freedom to which we are entitled, becauſe it is inſeparable from the actual diſcharge of the duty to which we are obliged. But, as every man's activity, who directs it by the rule of duty, is ſufficiently controled, the reſidue of liberty that remains after the diſcharge of duty, being unproductive of evil, forms the *ſecond degree* of

of that freedom, which man, by God's bounty, is entitled to enjoy.

Theſe form the ſum total of the benefits ſought for in the ſcheme of civil government, and are therefore comprehenſive of every other. They eſtabliſh the liberty of acting; and of courſe, all the natural conſequences of acting; the whole of which may be included under the notion of *property*; which "conſiſts in a free uſe, enjoyment, "and diſpoſal of all the acquiſitions without any control or diminution, (ſave only by the laws of the land,")* that man renders the objects of his acting; whatever be the mode, or quality, of thoſe acquiſitions; whether corporeal or mental, whether they be of wealth, or reputation. This freedom of action is of two ſorts or degrees; firſt, freedom to proceed without reſtraint in the courſe preſcribed by God; ſecondly, freedom to aſſume every perſonal ſatisfaction to which that courſe naturally conducts. As duty is anterior to right, and as the performance of duty not only leads in its iſſue to certain enjoyments, but is alſo ever neceſſarily accompanied in its progreſs with certain other enjoyments, (the circumſtances that enable us beſt to fulfil our duties, being ſuch as are at

* Blackſtone's Comm. B. I. p. 138.

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the ſame time moſt ſatisfactory to our natures; it follows, that the enjoyments which are coeval with duty, and inſeparable from it, muſt be anterior to thoſe which are conſequent on duty; and that they therefore conſtitute the firſt and moſt prominent part of our natural ſatisfactions, or, to uſe the popular phraſe, of our natural rights. That freedom which we enjoy, when we freely diſcharge our obligation to God, conſtitutes much the moſt conſiderable and momentous portion of our freedom, ſince it ſecures to us the free uſe of our life, of our perſons, of our natural and intellectual powers, and of the means of maintaining and improving them all; and is therefore productive of all our higheſt enjoyments. Theſe enjoyments from freedom, which are inſeparable from the free diſcharge of our indefeaſible obligation to God, we can virtually define, by defining the duty with which they are commenſurate. It is our duty, to make the beſt uſe of the faculties committed to us, in conformity with the rule preſcribed to our intelligence; it is therefore our duty to maintain our faculties in the beſt condition; ſince it is all one to uſe our faculties ill ourſelves, or to allow of their detereoration by cauſes within our power to control. We are therefore to reſiſt every counteracting cauſe, that would impair the faculties that we are obliged to bring to a good fruit.

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If we have gained that degree of freedom which empowers us to accompliſh this great end; if our condition be ſuch as to enable us to obtain full knowledge of the purpoſes of God, of the permanent intereſts of man, and of the meaſure of his reſponſibility, and at the ſame time freely to act according to all this knowledge; if our *lives* are ſecure, our perſons *free*, and that the faculties of the mind and heart are provided with an opportunity of expanding to the wideſt capacity of their nature; if no impediment or obſtruction is offered to this growth, no unnatural conſtraint tending to dwarf or diſtort it; and if this *freedom* is rendered *equal* amongſt all, by reducing *every one equally* under the control of law, thereby incapacitating each from impairing that freedom in another; then, the moſt important, the moſt extenſive, the moſt attractive, the beſt defined portion of liberty is attained; the remainder can bear no compariſon with it; it is of leſs extent, of leſs effect, of leſs conſequence to the agency of man, or to the real and permanent intereſt of his being. He may doubtleſs purſue it, provided he does ſo with ſerious attention to the purpoſe of his creation, with faithful obſervance of the dictates of reaſon and conſcience; and that he ever ſcrupulouſly compare the yearnings of his

his deſire, with the diſtinct unequivocal rule of duty, impreſſed upou his mind.

Having thus aſcertained the nature of the right to *life*, and *liberty*; and having ſeen that they ſignify, "a right *common* to the human nature, "and therefore *equal* in every individual, to pre- "ſerve *life*, and to uſe it *freely*; except where "duty preſcribes bounds to that uſe;" which ſeems to include every poſſible benefit that man can ſeek under the authority of natural right; we find no corner left for the diſtinct *right to equality*; the meaning of which words is indeed extremely perplexed, offering nothing preciſe, or that entitles it to a ſeparate place in the claſs of natural rights. In the natures of men, all is inequality; to prevent the inconveniences and miſeries reſulting from thence, and to obtain equal ſecurity of life and of the uſe of life, was the end of civil government. What then is this *equality*, which is claimed on the ground of a natural right, inherent in every man? Do they who aſſert it, wiſh to abſtract the relative notion of *equality* from *equal* ſecurity of life and liberty, and then to concoct it into an independent and poſitive entity? This would in truth be a deſperate attempt of metaphyſical ſublimation. Do they mean to inſinuate, that mankind, if ſet free from the control of government, would relapſe into

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an equality of powers and characters? But truth diſcovers to us, with every power of teſtimony, that without the control of government, the world muſt be a ſcene of the moſt diſaſtrous inequality. Do they mean that every man is equally bound to diſcharge the obligation impoſed upon man? that equal reſponſibility, equal neceſſity of anſwering to that reſponſibility, is annexed to each without exemption or diſtinction? This is moſt undeniably true; but if they mean this, it is the allegation of a *duty*, and not of a *right*. Do they mean that there is a *natural right* inherent in man, which is intrinſically and eternally repugnant to *civil diſtinctions* in ſtates? If they mean this (and it is tolerably clear that this is what they wiſh to inculcate) it is a tangle of fallacy and inconſequence, occaſioned by inaccuracy of thought and equivocation of terms, that calls for ſome temperate unravelling. Natural right is ſecured by the general performance of natural duty. The particular regulations of a government that provides effectually for the performance of every natural duty, in every part of the community, cannot invade any natural right. In the above perplexed propoſition, in which *civil diſtinctions* are affirmed to be repugnant to *natural right*, two objects are confuſed, whoſe natures are intrinſically diſtinct. The notion of civil equality, implicated thus in the queſtion of natural right,

is in truth no queſtion of natural right,* but of political convenience; and determinable by very different principles than thoſe, by which the inquiry into

* We have already obſerved, and we may venture to repeat the obſervation, that the *natural right to equality*, or in terms more preciſe and intelligible, the *natural right to democracy* of the modern Jacobins, and the *divine right to abſolute monarchy* of the old Jacobites, are notions that differ only in outward application, and not at all in intrinſic quality. If we compare, and attempt to generaliſe the two propoſitions, of a natural, indefeaſible right to democracy, and a divine, indefeaſible right to monarchy, we ſhall find, that they both flow into one common principle; namely, that there exiſts in the eternal and ſovereign reaſon of the univerſe, an excluſive pattern or form for human ſociety; precluding all liberty among mankind to deviate from that form; even though there ſhould exiſt reaſons of evident convenience, aptneſs, or even moral neceſſity for doing ſo. The maintainers of this doctrine, however, have been ſo unfortunate as to differ very widely (indeed as widely as oppoſite extremes can be) in their application of this arbitrary maxim; ſome applying it to the confluence of all the artificial powers of government into one individual perſon; others applying it to the diffuſion of thoſe ſame powers to every individual in the ſociety; the one deriving effectual ſupport to the ambition of a few aſpiring individuals, from the irreſiſtible energy of deſpotiſm; the other deriving an equally ſtrong ſupport to a few aſpiring individuals, from the irreſiſtible impetus of a multitude. Each reaſoned with an equally grave plauſibility from their common principle; the firſt alleging, that it is neceſſary for mankind to exiſt under a ſufficient control, which can only be effected under an abſolute monarchy; the ſecond,

into the natural right of man is to be conducted. It is a queſtion whether or not, in any given government, in which civil diſtinctions are admitted, the original end of government is truly attained. To decide which, we are to revert to the original deſign of government; for the government that beſt attains that end, will thereby approve itſelf to be the beſt conſtituted government, whatever artificial regulations it may have eventually admitted.

The object of government therefore, being (as has been ſhown) to obtain the diſcharge of duty

ſecond, that man ought to exiſt under no more control than is ſufficient, which can only be ſecured under a democracy. The firſt part of their poſitions is perfectly true, but they concluded very erroneouſly. Both were ſo far true, that it is right for man to exiſt under a ſufficient control, and under no more control than is ſufficient. But it happens, that democracy is by its nature hoſtile to the firſt of theſe, and abſolute monarchy to the ſecond. So that though each produced a reaſon invalidating the claim of the other, neither produced a reaſon eſtabliſhing its own claim. All that followed was, therefore, that to obtain control ſufficient, democracy ought to be avoided; and that to prevent that control from being more than ſufficient, abſolute monarchy ought to be avoided. And in this we diſcover, if not what particular compound of government is moſt conducive to the ſecurity and happineſs of mankind, at leaſt that it is neither abſolute monarchy nor democracy; and conſequently, that both Jacobite and Jacobin are equally unſupported by the ground, on which each have ſucceſſively attempted to erect, their very different and diſcordant ſyſtems.

among mankind, in order to be able to acquire the happineſs that can only be obtained by that proceſs; if in any given country, whoſe internal polity has contrived artificial ranks and claſſes of ſubordination, it be queſtioned, whether ſuch a contrivance invades the natural right of man; we are not to put the iſſue upon a general aſſent to, or diſſent from the terms of the queſtion, (which is the very matter in debate) but we are to examine and determine whether in that given country, the government eſtabliſhed defends and ſecures the natural right of man; which if it does, the particular regulations of a country, in which the natural right of man is ſo ſecured, cannot, conſiſtently with common ſenſe, at the ſame time endanger them. For, if the means employed are ſuch as evidently produce the end of government, and therefore ſecure man's natural right, it is quite impoſſible they ſhould be at the ſame time *deſtructive* of the right they *ſecure*.

We cannot too often enforce, that the object of government is, to produce the diſcharge of thoſe duties in each, which ſhall enſure to all the enjoyment of what they denominate their natural right. Theſe duties, forming a part of that abſolute and indefeaſible obligation with which man is born, each one brings them with him into ſociety; nor can any artificial or incidental circumſtance of ſocial life

life whatever, exonerate *any one* from that condition, to obtain the performance of which in *all*, is the very eſſence of aſſociation, the immutable purpoſe of all government. Becauſe if *any* are exempted from the neceſſity of the obligation, in that proportion the ſucceſs of the ſcheme of government is rendered abortive.

Every contrivance of government, every artificial regulation that ſocieties may introduce, is to be eſtimated by its tendency to produce this general reſult. To deviſe an arrangement that might produce that reſult, was left to the labour and induſtry of man in every ſeparate ſociety. Different were the modes that each adopted, and accordingly as they were more or leſs apt to gain the purpoſed end, they ſucceeded or failed, they were continued or changed. The progreſs of experience improved the progreſs of civil polity; experimental good or evil guided each ſociety in correcting or varying that which had proved inefficient to, or deſtructive of, the great intereſt of the union; and in proportion as any ſyſtem improved, the diſcharge of duty in *every member* of the ſociety, became more extended and more effectually enſured.

In the great comprehenſive ſcheme of God, the diſcharge of duty is the *end* for which man was created;

created; it is the right of God's ſovereignty, which overrules and determines every other conſideration. The happineſs to which, by God's goodneſs, that diſcharge leads, is anticipated by the heart of man, and is a powerful *means* contrived by the all-wiſe Creator, to allure him to that diſcharge. But in the partial ſcheme of civil government, the operation appears to be reverſed. The happineſs to which the nature of man tends; that happineſs which is provided to be the reſult of the performance of duty, and to which he is intitled by the diſpenſation of the divine bounty; is the *end* deſigned by the inſtitution; and the *means* employed to attain that end, are means calculated to produce the diſcharge of duty, as inſtrumental to that happineſs. Here again we diſcover the neceſſary ſubordination of man's happineſs, to which he alleges a right, to God's purpoſe, in which he is conſcious of an obligation.

The perfect and entire diſcharge of duty, cannot be produced by the operation of any ſecondary and external cauſes. Near approximations are all that either wiſdom expects, or nature allows. He who would be at the labour of ſearching for abſolute perfection in human affairs, would reſemble the ſimple boy who chaſed the rainbow; a meteor, the laws of whoſe being have nothing in common with

with the laws of ſubſtantial exiſtence. Perfection in government, muſt ever be relative to the ability of procuring the moſt attainable degree of happineſs among mankind, by means of the moſt practicable neceſſity to the diſcharge of duty.

The claim to perfection in any human government, muſt therefore produce evidence of theſe two things: firſt, that it is ſo conſtituted, as to include every attainable means for enforcing *univerſal obedience* of the duties that man owes to man, as inſtrumental to the general happineſs; and to contain no principle tending to counteract its own end: ſecondly, that it be ſo conſtructed, and calculated in its different parts, as to promiſe *permanency*; ſince the *permanency* of happineſs, is of abſolute neceſſity to its *completion*.

The hiſtory of mankind is a hiſtory of governments, attended with more or leſs ſucceſs, contrived with more or leſs effect to anſwer the end intended, and laſting a longer or a ſhorter time. In that inſtructive hiſtory, we are enabled to ſurvey at leiſure the different forms that government aſſumed in different ſocieties, to trace the reſpective operations of each, the cauſe of its ſucceſs, the occaſion of its failure. In ſome, the power for compeling obedience was *inſufficient*; in others, its operation

was

was *partial*; whereas in every one it ought to be, both *univerſal* and *complete*.

The machine of government, in its genuine deſign, ſuppoſes a force and a reſiſtance. The *force* conſiſts of an union of the natural powers of man under the guidance of reaſon, employed to overcome the *reſiſtance* produced by ſimilar powers under the inſtigation of paſſion. But the conſtituent parts of this machine, when conſidered in reſpect to practice, contain a radical imperfection which no human contrivance can ever remove; becauſe it extends beyond the reach of human agency, and ſubſiſts in the very nature itſelf of man; in that defect of his nature, which alone rendered government neceſſary. If the force of government were to be exerciſed by Infinite Wiſdom, as is implied in the true meaning of a theocracy, that imperfection, which more or leſs attends every poſſible form of human government, would not exiſt; becauſe in that caſe government, which is deſigned to be exerted according to the rule of wiſdom, would in reality be ſo exerted. But as ſoon as the ſcheme was attempted to be reduced to practice among men, the inherent defects of the individuals who were made the agents to conduct it, influenced the conſtituent parts of the machine, and produced a confuſion and perplexity in the powers; by which

which event the unity of the original ſcheme was eſſentially impaired. For the force of government, which, in its genuine deſign, is a force intended to be exerciſed by the rule of wiſdom, being conſigned to an agent in which wiſdom did not prevail, but who poſſeſſed that defective nature which called for the artificial control of government; the force that ſhould have been directed by the rule of wiſdom, was confided to the arm of paſſion, and was conſequently abuſed from its original purpoſe, to the prejudice of thoſe who confided it. And this occaſioned a relative difference in the ſituation of the parties; for the breach of duty occurring in that part where the power for enforcing duty was confided, it remained for thoſe who ſought the real benefit of government to repair the breach thus made; which they could only do by encouraging the force of reſiſtance in a proportionate degree, ſo as to counteract and repair the ill effects of this abuſe of the force of government. And thus, a material change was introduced into the original ſcheme, two forces being produced acting with a continual reciprocating motion, one againſt the other. And, whatever inconvenience might attend the ſtruggle, the nature of man rendered this reciprocation abſolutely neceſſary, as being a leſs evil than that which it was deſigned to prevent. Wherefore, as every human govern-

ment muſt be exerciſed by beings of the ſame common and imperfect nature, and which requires regulation and control in each, it is next to impoſſible to diſpoſe force in ſuch a manner, as to produce a reaction on thoſe inveſted with it, and to keep them alſo under the conſtraint of poſitive obligation, without at the ſame time relaxing the due control of government over the maſs of ſociety. And yet, if this is not effected, the evil that reſults is, that either the force of government becomes inſufficient, or its operation partial.

It is inſufficient, whenever the reſiſtance to be overcome is greater than the power that is to overcome it: Its operation is partial, whenever any are exempted from its effect.

The reſiſtance to be overcome, is greater than the power that is to overcome it; whenever the means of enforcing duty are inferior to the means of tranſgreſſing it; that is, whenever the natural oppoſition to duty that government was inſtituted to overcome, is able to maintain itſelf againſt the efforts of government.

The natural oppoſition to duty is great or little, in proportion as the paſſions of thoſe conſtituting the community are reduced under control; and that control

control is efficient, in proportion as it is able to maintain itſelf by means, independent of the paſſions it is intended to reſtrain. If the paſſions of man had no other control, or but little other control, than the injunctions of duty and reaſon; and if as ſoon as the authority of theſe ſhould be conteſted, the power of government would ceaſe; there, the ſcheme of government would be but a very trifling removal of man's condition from the ſuppoſed ſtate of nature. Becauſe in the latter caſe, man would exiſt without any external conſtraint over his paſſions; and in the former, he would exiſt in a ſtate in which he could preſently overcome any conſtraint attempted to be exerciſed over him.

Again, the operation of the force of government will be partial, where any are exempted from its effect.

This is the caſe whenever that force is excluſively diſpoſed in the hands of one, or of a certain limited number of individuals, ſo that they who hold it, are thereby enabled to compel obedience in the general, while they themſelves are free from any ſuch compulſion. When this caſe happens, the force created for the purpoſe of producing general obedience, having no operation on the indi-

viduals who exercise it, and who are thereby emancipated from all constraint, becomes liable to be prostituted to the service of passion and personal interest in wrong of the public welfare; and the excess of strength it superadds to the natural powers of man, partially revives the inequality of nature, and aids them more effectually to trespass upon the interests of others, who are by this means abridged of even the natural powers of resistance.

So that, when the fear of confiding to the artificial organ, a force sufficient to restrain the action of passion, leaves the controlling power of government inefficient, passion is ever liable to prevail; the natural disorder of mankind that government aims at repressing, is at all times liable to break forth; and of course, law and order to be dissolved, and anarchy to ensue. On the other hand, when force is so absolutely and exclusively abandoned to the artificial organ, that there remains no power to restrain the operation of passion acting in the human subjects composing that organ; there, passion, which is the proper object of government, is enabled to act without restraint; and being invigorated by an adventitious strength produces despotism or tyranny. Such have been the case more or less whenever the scheme of government

ment has contained within itſelf a principle, deſtructive of its genuine purpoſe. The former, exiſting in its fulleſt defect is, the caſe of abſolute democracy; the latter, exiſting in their fulleſt defects are, caſes of abſolute monarchy, and abſolute ariſtocracy.

In the firſt caſe, the body of reſiſtance is too great for the power that is oppoſed to it; in the latter, the operation of that power, which ought to be equally directed upon all, is diverted from influencing upon ſome, and its weight falls with increaſed, undiſcriminating violence, upon the remainder.

To correct thoſe evils, wiſe men laboured from the beginning of ſociety; while from the ſame æra, wicked men ſtruggled hard to perpetuate them.

They who endeavoured to correct the evils of abſolute democracy, imagined various counteracting powers to repreſs the turbulence of the maſs. They who endeavoured to correct the evils of the two other forms, ſought, on the contrary, the means of giving energy and effect to the natural vigour of the maſs. They purſued and tried every poſſible relation and proportion between force and reſiſt-

reſiſtance; but in the two compound quantities which they thus endeavoured to regulate, and into which the political machine was divided, a conſtant fluctuation and variation took place. They laboured to adjuſt the balance; but if ever it was nearly effected, a grain added to either ſide occaſioned a preponderance. They were wanting in ſome certain means for preſerving the equilibrium in the ſtate; and thus the reſtleſſneſs of man, acting vigorouſly in two oppoſite relations, kept up an unceaſing transfer of weight from the one ſide to the other; and the affairs of human ſociety partook of the evils attending either the reciprocation of the balance, or the preponderance of either ſcale.

To put an end to theſe diſorders, by obtaining ſome principle of government that ſhould be at all times able to repel them, became an object of anxious deſire to the moſt enlightened minds; who, knowing equally well how to eſtimate the value of legal reſtraint as of rational liberty, and poſſeſſing full experience of the forms and effects of every different government that the world had witneſſed, yearned for ſome one, which, while it poſſeſſed the advantages of each, ſhould be at the ſame time radically exempt from all their defects.

Neither

Neither Greece nor Rome, the great champions of liberty and oracles of civil polity, were able to accompliſh that medium. Their ſtates roſe and ſunk, ſometimes by the weight of democracy, ſometimes by that of ariſtocracy, ſometimes by that of autocracy. The reflective experience of which calamitous proofs of the incapacity, of any of thoſe forms of polity, however modified or contorted, to procure the full meaſure of the benefits of civil government, and to ſecure their ſtability, drew from the pens of two of the wiſeſt men that ever reflected honour upon their ſpecies, thoſe ſhort but pregnant and memorable ſentiments, never to be too often or too deeply imprinted on the memories of Engliſhmen.

" That (ſaid Cicero) would, in my opinion, be " the beſt poſſibly conſtituted ſtate, which ſhould " conſiſt of a moderate commixture of the three " kinds of governments, regal, noble, and " popular."

And at the diſtance of a century and a half from Cicero, Tacitus, though he deſpaired of its practicability, and therefore baniſhed all expectation of ſeeing it realiſed, ſtill maintained the ſame opinion. " All nations (ſays he) have been hitherto go- " verned, either by the maſs, or by a few leaders,

" or

" or by individual governors. A form of govern-
" ment conſtituted by ſelection from each of
" theſe, would rather be a ſubject of mental admi-
" ration than of probable occurrence; or if it did
" take place, it could not be of long continuance."

So thought thoſe two great reaſoners on government. They had never ſeen ſuch a government; they had no proſpect of ſeeing ſuch a government; but their perfect knowledge of paſt events, and of the nature and practice of human ſociety; the inſtructions of their wiſdom, and their unqualified attachment to truth; obliged them to infer, that the evils attending every other form of government that man had deviſed, could only be radically cured or prevented, by eſtabliſhing government on an union of the principles of theſe three ſeveral forms; the ſeeds of each of which exiſt in every ſtate, becauſe in every ſtate the intereſts of liberty, property, and ſecurity ſubſiſt; all of which are beſt attained, and beſt advanced, by ſuch a form of polity: diſpoſing them in ſuch a manner, as to procure every benefit peculiarly reſulting from each, and at the ſame time to repreſs the evils to which each might particularly give riſe: and ſo diſtributing the ſupreme power between them, that each ſhould counterpoiſe another, and a third at all times maintain the equipoiſe between two, whenever

ever it ſhould be in danger of being diſturbed. By theſe means, control, the great object of government would be eaſily and naturally produced in each conſtituent part of the ſtate; each would be contained within the limits aſſigned by the law, without ſtraining the political machine, or burthening it with any complex and excreſcent machineries, tending always to impede or perplex its neceſſary motions. For, as the failure in the original ſcheme of government was owing to the irregular ſtruggle between two contending quantities, moved by contrary intereſts and jealouſies, and acting in direct and conſtant oppoſition the one to the other; and as ſuch ſtruggle either became perpetual, thus perpetuating internal broil and confuſion; or was terminated by the preponderance of one or other power, thus fixing different proportions of anarchy or tyranny; there was no method left for remedying thoſe evils, than in altogether removing the cauſe producing them; by making a new diſtribution of the powers and intereſts that civil government introduces among men; and diſpoſing them in ſuch a manner that the evils of the old diſtribution ſhould never be able to return, and that a portion of force ſhould always ſubſiſt, capable of giving effectual ſuccour to that ſide, which, in the event of oppoſition between two powers, ſhould endeavour to maintain the great objects of duty and

right, the ultimate purpoſe for which government was originally contrived. And, in order to prevent partial intereſt in the exerciſe of theſe ſeveral alotments of power, from operating to the prejudice of of the public good, but, on the contrary, to render the activity of private intereſt, which can never be extinguiſhed in man, inſtrumental to the public welfare, and an active principle to advance the motion of the ſtate; it followed, that it would be altogether neceſſary to annex particular intereſts to each, in ſuch a manner, as that an attempt in any one to diſturb the arrangement eſtabliſhed, would impair the reſpective intereſts of the other two, and thereby impel them to unite in reſiſtance of the violence attempted; thus producing a force at all times ſuperior to the moſt vigorous oppoſition, that any one could make againſt them: and further, that the particular intereſts thus reſpectively attached to each, ſhould be ſuch as together to conſtitute the general intereſts of all; for the vigilance with which each would maintain the appropriate intereſt in which it was more eſpecially concerned, would not only keep each from following the declination of either of the other powers, and cauſe it to adhere ſtrenuouſly to the ſphere aſſigned it; but the great aggregate intereſt, in reſpect to which ſociety is eſtabliſhed, and according to the cultivation of which, ſociety becomes

power-

powerful and refined, would be defended and promoted with all the zeal, that the energy of private intereſt, or of individual gratification, can poſſibly contribute. By dividing, therefore, the ſupreme power of government into three equal portions of force, an equipoiſe could be enſured in its machinery; and by annexing ſpecially to each of theſe, one of the three leading intereſts of ſociety, that machinery would invariable act in furtherance of the public intereſt.

The leading intereſts in ſociety appear to be reducible to three general heads; liberty, property, and ſecurity. Liberty, is an intereſt equal in every individual, and annexed to our common nature by its Author. It conſiſts in the free uſe of life, and of the faculties of life, except where the will of the Author has preſcribed bounds to that uſe. Property, is an intereſt ariſing out of the exertion and induſtry of man in ſociety, and is the object of all human action; it conſiſts "in the enjoy-"ment and diſpoſal of *our acquiſitions*, without "any control or dimunition, ſave only by the law "of the land." Security, is the great intereſt purſued in the eſtabliſhment of civil government, and without which, liberty and property can ſcarcely be ſaid to exiſt at all. It conſiſts in the actual application of power to repreſs all cauſes

tending to endanger either liberty or property, and which therefore eſtabliſhes in the minds of all, that repoſe and confidence which is abſolutely neceſſary to the complete enjoyment of either.

If, now, a due adaptation were made of theſe three leading intereſts of ſociety, to each of the three conſtituent parts of the government here ſuppoſed with peculiar motives urging each to the particular preſervation of its reſpective intereſt; the action of the three powers, in relation to the general intereſt, would be enſured, by the vigour with which each would maintain its ſeparate intereſt; and which, at the ſame time, by means of the counteraction of the other two, it would never be able to extend to a degree injurious to the reſt.

As this cannot be placed in too ſtrong light of evidence, let us conſider again the ſcheme of government here ſuggeſted to our imagination. What we are to obſerve in it is, the *number* and *quality* of the organs, among which the ſovereign power is propoſed to be diſtributed. And that which preſents itſelf firſt to our contemplation is the *number*, or the diſtribution of the energies of the ſtate into *three* portions; inſtead of into *two*, as it muſt neceſſarily be in every other ſyſtem, excepting ſuch

as

as are abſolutely deſpotic. The immediate conſequence of this diviſion of ſupreme legiſlative power into three equal parts is, that no one conſtituent part poſſeſſes more than one third of that power, conſequently, that no one can exert more power than in that proportion. The firſt effect of this reduction of the *quantity* of power in the organs of the ſtate, by increaſing their *number*, is, to produce immediately that quiet and repoſe, which was in vain ſought for while the whole power was conteſted by two active and hoſtile intereſts, both inclined, and able, to maintain a perpetual contention. For the comparative weakneſs of each of the three powers, rendering it unable to cope with two other powers, each equal to itſelf, would diſpoſe each to remain quiet within its ſphere; or, if either ſhould make any attempt to exceed it, the double force of the reſiſting powers would preſently reduce it within its equal bounds. Hence a principle of *repoſe*, or internal quiet, is obtained by this ſimple operation, which no other diviſion of that power could poſſibly effect. But as theſe three conſtituent diviſions of the ſovereign power are to *act* * for the welfare of the whole; and as

* " Ces trois puiſſances devroient former un *repos* ou une " *inaction*. Mais comme, par le movement néceſſaire des " choſes, elles ſeront contraintes *d'aller*, elles ſeront forcées " *d'aller en concert*." *Eſprit des Loix*. l. xi. c. 6.

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the union of their ſeveral acts is to conſtitute the act of the whole, or the law; it is neceſſary that all ſhould be actuated by an identity of intereſt, in order that all may conſpire to the general end. And yet, as it is of principal neceſſity to the maintenance of the threefold diviſion of power, that the ſeveral organs inveſted with that power ſhould continue ever intrinſically diſtinct (otherwiſe there would be an end to the threefold diviſion intended) and that they ſhould be incapable of ever coaleſcing, or uniting into one; it is neceſſary that all ſhould be actuated by a diverſity of intereſts, tending to keep them ever diſtinct and apart the one from the other. Thus each, as by a ſpecies of centrifugal force, yielding to a particular impulſe; and again, by a ſpecies of centripetal attraction, compelled to adhere to the general intereſts of the community. And in ſuch a government as is here ſuggeſted, theſe neceſſities ſingularly concur. For, as in all ſtates, as we have obſerved, the intereſts of liberty, property, and ſecurity ſubſiſt, and conſtitute the intereſts of all; ſo, in this particular ſtate, beſides the intereſt which all poſſeſs in common in theſe particulars, each of the three ſuppoſed organs poſſeſſes a diſtinct and powerful incentive for purſuing one of theſe in particular. This will be perceived if we conſider the *quality* of the organs ſup-

ſuppoſed in this hypotheſis ; which are, popular, noble, and regal.

As in ſuch a government, in which power would ſubſiſt in an equal degree in each diviſion of the ſtate, each would equally concur to create the law ; ſo the law would be ſure to influence equally upon each, and no exemption would be allowed to any. In ſuch a ſyſtem, therefore, there would be but one general rule or law for liberty, one general rule for property, and one general rule for ſecurity ; and the mode that beſt defended each, would beſt protect all. *Liberty* is immediately endangered, when power grows exceſſive in any ſupreme conſtituent function ; *property* is immediately endangered, either when artificial power grows exceſſive in any particular function ; or, when the boundaries of law are threatened, and the defences ſet to property invaded, by the eruption of the natural paſſions of mankind ; *ſecurity* is endangered, when thoſe whom the law is deſigned to repreſs, acquire a preponderating force over the energy of the law. The jealouſy with which the popular part, or the bulk of ſociety, acting by that organ of repreſentation which every democratic body muſt poſſeſs, would reſiſt every encroachment on liberty, would eſtabliſh the beſt protection that the natural intereſt of liberty can poſſeſs, againſt any effort or exertion made on the part of power.

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The jealouſy with which the opulent nobles (who conſtitute the ſecond organ here ſuppoſed) would naturally defend, with the power veſted in them, their large ſhare of that general capital which is the object of common concern, and in the perpetual circulation of which conſiſts the proſperity of the whole community; would be the moſt ſecure protection that the artificial intereſt of *property* could poſſeſs, againſt either exceſs of power tending to regal confiſcation; or the eruption of popular paſſion, producing democratic plunder. The jealouſy and vigilance with which the regal organ would defend its individual capacity, the ſource of all political action, againſt any illegal force uſurping upon its authority, would be the beſt pledge of *ſecurity*; which is only to be obtained by an alert and ſtrenuous exertion of the calculated powers veſted in it by the law.

In a government thus compounded, we are not only to compute the quantity of good that each of the three general qualities can contribute; we are alſo to aſcertain the particular evils that each might occaſion, and to provide effectually againſt them. In the regal eſtate, we have to guard againſt the exceſs of power, which conſtitutes the evil of abſolute monarchy; in the popular part, we are to guard againſt that turbulence of paſſion, which is the

the inherent malady of all democracy. A due reduction of the power of the former, eſtabliſhes liberty, and with it ſecurity, in all: a due conſtraint of the violence of the latter, produces ſecurity, and with it liberty, for all. If however, the force of either of the two exceed its bounds, and become exerciſed in reſpect to individual intereſt; whether it be the intereſt of the few ſupported by monarchical power, or the intereſt of the many ſupported by democratical vehemence, the great intereſt of property, which is the baſis of all regular, induſtrious, proſperous and poliſhed ſociety, is endangered. This great intereſt of property, therefore, becomes invariably and excluſively united with power, in the intermediate order, and is thus equally defended againſt kingly plunder, and democratical equalization. So that we may venture to affirm, that of theſe three ſeveral functions, that whoſe means of benefiting, infinitely overweighs its ability of injuring ſociety, is that of the nobles; becauſe, at the ſame time that it contributes as much as either of its coequals, to maintain the equilibrium of power, and to ſecure the equality of law, it contains no ſeed of ſtrength, tending either to cramp liberty by the abuſe of law, or to ſubvert law by the exploſion of human paſſions. It thus ſtands a mediator, eſtabliſhing peace and amity between the energies of regal and popular

power. It is, in a manner, the key-ſtone, that binds the triumphal arch, ſpringing from the oppoſite baſes of monarchy and democracy.

The good effect of this machinery once ſet in action, was manifeſt to the minds of thoſe great men. The partition of powers; the oppoſition of particular intereſts, producing neceſſarily the eſtabliſhment of the general intereſt; would unavoidably ſecure at all times a majority of ſtrength on the ſide of duty, and proportionably diminiſh the power of reſiſtance on the ſide of paſſion. The ſame motive for diſturbing the machine, could never actuate two of the powers at the ſame time, becauſe their particular intereſts would be diſtinct; and yet the common intereſt of preſerving the machine would always actuate the two that found an enemy in the third. Whereever reſiſtance to the ſcheme of government diſcovered itſelf in the proportion of one third, coercive power would be able to exert itſelf in the proportion of two thirds. If the reſiſtance ſhowed itſelf in the regal part, the middle and popular part would reduce it; if it appeared in the popular part, the regal and middle would conſtrain it; if in the middle, the regal and popular would overcome it. And thus, each being compellible by the fundamental principle of the polity to diſcharge the duties of the artificial

ſphere

ſphere contrived for each, none would be exempted from the operation of that neceſſity, and the reſult would be univerſal obedience, as far as the nature of man will allow; and its produce would be thoſe enjoyments of exiſtence, which naturally flow from thence, and which compoſe what are called in popular phraſe, the natural rights of man. And under the enjoyment of theſe, the united induſtry and talents of each would be enabled to multiply and cultivate thoſe other ſubordinate enjoyments, which he calls his civil rights. And it is a very reaſonable preſumption, that the government that beſt attains the general end of its inſtitution, will provide alſo the beſt ſtore of ſocial benefits, or civil rights: for it can only attain the general end, by a ſtrict obſervance of wiſdom and juſtice; and wiſdom and juſtice are all that is required, to eſtabliſh civil rights on the beſt and moſt proſperous foundation.

To the conſcience of every Engliſhman we now appeal; to that honour, that frankneſs and honeſty, which, we fain would flatter ourſelves, ſtamps the character of Engliſhmen; to them we aſk—*Where* has ſuch a government been found?—*What ſocial fruits* has that government produced?

Did it exiſt in Egypt or the Eaſt; in Greece or in Rome? No! it was at beſt a phantom in the

minds of their wiſeſt philoſophers; a point of imaginary perfection, to which they hardly could allow themſelves to hope, that human nature would, in practice, ever be able to attain.

Did it ſucceed to the ſubverſion of empire in Rome, and eſtabliſh itſelf on the ruins of imperial tyranny? Alas! the various ſhapes of deſpotiſm or licentiouſneſs, that ſprung from the ruin of the empire, ſhowed how ill it was to be procured by turbulence or war. Did it any where attempt to gain as real and ſubſtantial exiſtence? If ſuch efforts it ſeemed here and there to make, they proved abortive; the balance was preſently turned, and the ſcale fixed by the preponderance of one or other of the powers.

There remained however one great and illuſtrious exception, one brilliant and ſingle inſtance of ſucceſs amidſt the general failure. This principle of government, the faireſt offspring of wiſdom and of juſtice, involved itſelf in the origin of civilization in England, and accompanied its progreſs through every modification of its polity. It influenced every act tending to the public good; and if at any time the equilibrium was loſt by the vacillation of the balance, this principle reſtored it; it brought the ſcales by degrees to an exact and perfect

perfect equipoiſe ; and at length fixed the beam, ſo that no moderate convulſion could turn it.

From the commencement of our hiſtory, we diſcover the principle of the partition of powers; of the oppoſition of partial intereſts, producing the ſecurity of the aggregate intereſt ; of that tripartite diſtribution of power, which only can effectually and certainly enſure to duty and right, a force at all times equal to their defence. In the progreſs of that hiſtory, we have proof of the ſalutary effect of this arrangement, in the boundaries at different times aſſigned to thoſe different powers ; by ſometimes abſcinding from the one and adding to the other, according as experimental neceſſity directed ; until at length their due relative proportions were accurately defined and fixed, by the truly glorious and happy revolution of 1688. An event, how much more juſtly to be remembered with pious gratitude, and commemorated with patriotic ardor, by Engliſhmen, than any *one* of the *three* revolutions of France, during the laſt *ſeven years*, by the ill-fated victims of their fury !

Such is the nature of the government ſubſiſting in England. It provides a univerſal control over all who are ſubject to it, whether king, peerage, or commons : for king, peers, and commons, are equally

equally ſubject to that rule, which is paramount over all. As far as human nature can allow it, as far as any effect can be perfect, of which man is the inſtrument or medium, the conſtitution of this government is perfect. Some of thoſe defects which will ever adhere to works of human execution, may doubtleſs be diſcoverable even here; but it contains within itſelf a correcting energy, acting always up to the meaſure of experimental neceſſity. That principle which was coeval with its origin, and attendant on every ſtep of its progreſs, ſtill animates its ſyſtem; it is immortal and exhauſtleſs as the immutable wiſdom from whence it ſprings; and if we deſert not it, it never will deſert us.

It preſents to all, a full meaſure of the fruits of accompliſhed government, namely, *equal neceſſity to duty—equal ſecurity of right*. The inevitable conſequence of that moderating ſyſtem of legiſlation is, a correſponding moderation and equality in the adminiſtration of the laws provided. Each intereſt contributing equally to make the law, no artificial function is exempted from that neceſſity to duty, no individual perſon is excluded from that equal ſecurityof right. Neither wealth nor privilege, poverty nor obſcurity, furniſhes the leaſt exception from the former; on the other hand, equal ſecurity of

of right is extended to all. He who toils in the meaneſt office of ſociety, ſtands on the ſame level with the prince of the ſovereign's blood, in the ſacred eye of the law, Though the ſcheme of government requires, for the exiſtence and motion of its machineries, the contrivance of different degrees of ſubordination, yet the reſult of the whole is, ſecurity and protection dealt out equally to each. The honeſt avowal of a diſtinguiſhed foreign writer, the native of a republic, is perhaps one of the moſt ſatisfactory evidences that can be produced to Engliſhmen, of the ineſtimable bleſſings they poſſeſs in the adminiſtration of the laws of their country. " The ſingular ſituations of the " Engliſh judges relatively to the three conſtituent " powers of the ſtate,—has at laſt created ſuch " an impartiality in the diſtribution of public " juſtice in England,—and procured to every in- " dividual, both ſuch an eaſy acceſs to the courts " of law, and ſuch a certainty of redreſs, as are " not to be paralleled in any other government: " Philip de Comines, ſo long as three hundred " years ago, commended in ſtrong terms the " exactneſs with which juſtice is done in England " to all ranks of ſubjects ; and the impartiality " with which the ſame is adminiſtered in theſe " days, will with ſtill more reaſon create the ſur- " priſe of every ſtranger, who has an opportunity of

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" obſerving the cuſtoms of this country.*" Such is the bleſſing exceeding all calculation, which we derive from the adminiſtration of public juſtice, " relatively (as this writer well remarks) to the three " conſtituent powers of the ſtate." If we were to allow any one of theſe conſtituent powers to be in the leaſt impaired, a change in that admirable ſyſtem of juſtice, entailing conſequences affecting us all, muſt be the certain reſult.

But, beſides that the Engliſh conſtitution produces effectually the *univerſality of obedience*, and thereby the *ſtability* of ſociety, it alſo provides for its own *permanency*. It is a ſelf-preſervative, ſelf-acting principle; another circumſtance that we have ſtated to be neceſſary to the perfection of government, and to the completion of that happineſs which government endeavours to eſtabliſh. For the ſame commanding reaſon, that directs to the proper means for obtaining the end of government; and that has rendered the permanency of happineſs eſſential to its completion; requires, that the means for obtaining the great end of ſocial ſecurity, when once ſucceſsfully contrived, ſhall alſo be rendered *permanent*.

*De Lolme, *On the Conſt. of England.* p. 376. See the note he ſubjoins to the paſſage here quoted.

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The permanency of civil government, is beſt ſought for in the perpetuation of that which produced its ſtability. This, as we have ſeen, was the threefold diſtribution of power, by the inſertion of a moderating quantity, capable at all times of producing an equipoiſe. The Engliſh polity, produces the ſtability of government by its actual operation; it ſecures its permanency by its fundamental conſtitution.

That this ſtability ſhould become permanent, it is neceſſary that the means producing the ſtability ſhould be continued without interruption. Theſe means conſiſt of the mutual action and concurrence of the three ſeveral branches, among which the ſupreme power has been equally divided. The permanency of the popular part, is effected by the common operation of the laws of nature, by which a conſtant ſucceſſion in the human race is maintained, and it is thus that the popular intereſt is rendered perpetual. As the powers of the two other parts are to be exerciſed by men, and the life of man is precarious and ſhort; and as it is eſſential to the threefold diſtribution of power, that each be equal to the other in every reſpect, not only in actual, but alſo in continuing, uninterrupted energy; the example of nature is followed, and perpetuity is communicated to the two other

branches of the ſtate, on the ſame principle of hereditary ſucceſſion. Not deviſed, as pride and envy endeavour to perſuade, with the ſole view of creating invidious and partial benefits; but for the wiſe and ſalutary purpoſe of continuing, without interruption, the operation of a cauſe, that produces and confirms every poſſible advantage of civil government. By means of hereditary ſucceſſion of their reſpective qualities and characters, in all the three conſtituent parts of the government, a conſtant and equal proceſs of every part of the political machinery is ſecured. Every inconvenience flowing to the practical uſe of civil government from the brevity of human life, by which the wiſeſt contrivances are defeated, and the periodical return of civil diſorder produced, is by this means totally prevented. Diſtant ages, that the term of human life is unable to connect, are by this contrivance connected; and poſterity is thus enſured of the tranſmiſſion of thoſe benefits, with unalterable identity, which wiſdom and virtue have bled to procure. A perpetual intereſt is maintained, ſupplying the energies of civil government with perpetual vigour. And thus the three conſtituent portions of the ſtate, each united in itſelf, and all compacted with each other; poſſeſſing the ſame inherent ſtrength of nature, and endowed with the ſame principle of perpetuity; eſtabliſh that ſtrong, complex

plex, indiſſoluble chain, which holds the conſtitution, during the tide of centuries, firm to the ſoil of England, ſecuring its identity, while it eſtabliſhes its permanency.*

Such are the benefits we derive from this triple arrangement of power; the evidence of which has forcibly affected all thoſe philoſophers who have directed their attention to obſerve it. "This," ſays the celebrated Monteſquieu, "is the fundamental conſtitution of the government of which "we are ſpeaking. The legiſlative body being "compoſed of two parts, the one will control the "other by its power of negativing; and both "theſe will be controled by the executive branch, "which in its turn will alſo control the two legiſlative branches. The three powers would "therefore produce a repoſe, or inaction; but "ſince, by the unavoidable courſe of things, they "will be obliged to act, they will thus be under "the neceſſity of acting in concert."† "If this "power had only been divided into two parts," (ſays De Lolme) "it is probable they would not "in all caſes unite, either for doing or undoing:—

* So that we may apply to it Chryſippus's definition of fate: "Sempiterna quædam et indeclinabilis ſeries rerum et catena," &c. Aul: Gell: L. vi. c. 2.

† Spirit of Laws. B. xi. c. 6,

" if it has been divided into three parts, the " chance that no change will be made is thereby " greatly increaſed."* And here we may by the way obſerve, that by being divided into *three parts*, muſt be meant, in common reaſon, *three equal parts*. For, unleſs the power be diſtributed in every reſpect *equally* to *each* of the *three*, ſo that each be abſolutely and equally independent one of the other in the exerciſe of that power, and alſo equally permanent, nothing is done; nor can the arithmetic of *three* tranſmit any virtue to the *triple diſtribution* of power, unleſs upon this principle of *equal diſtribution:* for, in which ever of theſe points one of the three is radically inferior to the others, whether it be in the quantity of power, in its abſolute occupation, or in its permanency, in that point an exceſs is given to one or both of the others; the equilibrium, which alone was ſought for in this tripartite diviſion, is *ipſo facto* deſtroyed; and it matters very little then, how many nominal or oſtenſible ſhapes the pageant of government aſſumes. Such is the caſe of France, who, in order to comply in outward exhibition with the peremptory voice of reaſon and experience, has now ſplit her democracy into three oſtenſible portions. But as theſe do not all ſtand on the ſame foundation, of equality

* De Lolme. B. ii. c. 3.

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of legiſlative power, of independency and permanency, it is not faithfully divided according to the rule pretended. But, with reſpect to us, " The " legiſlature of the kingdom is intruſted to three " diſtinct powers, entirely independent of each " other; firſt, the King; ſecondly, the Lords— " and, thirdly the Houſe of Commons. As this " aggregate body, actuated by different ſprings, " and attentive to different intereſts, compoſes the " Britiſh Parliament, and has the ſupreme diſ- " poſal of every thing; there can no inconvenience " be attempted by either of the three branches, " but will be withſtood by one of the other two; " each branch being armed with a negative power, " ſufficient to repel any innovation which it ſhall " think inexpedient or dangerous."

" Here then is lodged the ſovereignty of the " Britiſh conſtitution; and lodged as beneficially " as poſſible for ſociety. For in no other ſhape " could we be ſo certain of finding the three great " qualities of government ſo well and ſo happily " united. If the ſupreme power was lodged in " any one of the three branches ſeparately, we " muſt be expoſed to the inconveniences of either " abſolute monarchy, ariſtocracy, or democracy; " and ſo want two of the three principal ingredients " of good polity, either virtue, wiſdom, or power.

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" If it were lodged in any one of the two branches;
" for inſtance in the king and houſe of lords, our
" laws might be providently made, and well exe-
" cuted, but they might not always have the
" good of the people in view: if lodged in the
" king and commons, we ſhould want that cir-
" cumſpection and mediatory caution, which the
" wiſdom of the peers is to afford: if the ſupreme
" rights of legiſlature were lodged in the two houſes
" only, and the king had no negative upon their
" proceedings, they might be tempted to incroach
" upon the royal prerogative, or perhaps to aboliſh
" the kingly office, and thereby weaken (if not
" totally deſtroy) the ſtrength of the executive
" power. But the conſtitutional government of
" this iſland is ſo admirably tempered and com-
" pounded, that nothing can endanger or hurt it,
" but deſtroying the equilibrium of power between
" one branch of the legiſlature and the reſt. For
" if ever it ſhould happen that the independence
" of one of the three ſhould be loſt, or that it
" ſhould become ſubſervient to the views of either
" of the other two, there would ſoon be an end of
" the conſtitution.*"

And as each of theſe three is eſpecially moved to adhere to one of the three leading intereſts of ſociety, the popular part being the ſtrenuous defenders of indi-

* Blackſtone's Comm. b. i.

individual *liberty* in particular; the nobles being the jealous protectors of opulence, and all its advantages, and therein at the ſame time of *property in general*, and all its enjoyments;* there being but one law for property in all its various degrees of

* It is worthy of remark here, that the firſt great ſecurity obtained for the property of every denomination of perſons in the realm, and that, too, at a time when the bulk of the people were immerſed in vaſſalage and ſlavery, was procured by the jealouſy with which the rich barons ſurveyed the arbitrary character of the Crown. It was to them that the nation owed the *great Charter of Liberties*, by which the property of every Engliſhman was placed upon the ſame level of ſecurity; and (to uſe the words of the excellent Blackſtone) it did that "which alone would have merited the title that it bears, of "the *great Charter*, it protected every individual of the nation "in the free enjoyment of his life, his liberty, and his pro-"perty, unleſs declared to be forfeited by the judgment of his "peers, or the law of the land." At a much later period of our hiſtory, when the abuſe of the kingly power had given way to the abuſe of the democratic power, of the conſtitution; the peerage of the realm oppoſed the career of the latter, as in the time of John they had oppoſed the conduct of the Crown. But the Crown being then extinguiſhed, the peerage became only the weaker of two contending powers, and were ſoon aboliſhed, and voted to be uſeleſs and dangerous, by thoſe, who deſired to ſway without control. In which hiſtories, we may remark, firſt, the benefit of the intermediate body of the nobles, while the ſtate remained entire; and ſecondly, the facility with which the whole fabric of the conſtitution was overturned, as ſoon as an infraction was made into any of its parts.

the

wealth or competency; and the king being, by the unity of his political capacity, the vigilant and effectual maintainer of the force of government, by which *fecurity* is produced; and in maintaining which, the dignity, and ſafety, no leſs of his perſon than of his office, entirely depends; it becomes morally impoſſible that any one ſhould abandon its particular intereſts, and conſequently that the intereſt of the whole ſhould not be fully promoted.

The conſtitution of England, however, while it has eſtabliſhed itſelf on the general plan firſt commended by Cicero, has infinitely refined upon the general principle, by the admirable conſtitutions of the regal, mediatory, and repreſentative organs of legiſlation; (abſolutely in themſelves, and relatively to each other;) and by the delegation of all the executive power to a ſingle individual, who is kept in check by the entire reſerve of the treaſure of the country to the diſpoſal of the great councils of the nation, with different degrees of power: thus adapting its parts ſo exquiſitely the one to the other, that they appear to blend into a perfect whole, in which the radical diverſity of intereſts are with difficulty diſtinguiſhed: each conſtituent part being rendered ſuſceptible of the intereſts of each, and in a manner an epitome of the whole.

But

But this permanency of government, which wiſdom calls for as indiſpenſable to its perfection, is diſclaimed by our antagoniſts as eſſentially contrary to their " rights of man". Thoſe rights, ſay they, proteſt againſt any reſtriction being impoſed by one generation upon another. Here we again diſcover, with amazement and with grief, the ſnare woven by knavery, to entrap inadvertency and ſimplicity. Had government no better foundation on which it could reſt than the caprice of man, their objection would be admiſſible; becauſe no man is obliged to ſubmit to the caprice of another. But as every man is born the ſubject of Infinite Wiſdom; as he is bound in his nature by an abſolute and indefeaſible obligation to the will of God; and is ſeverely accountable for his obſervance of the rule preſcribed by it; as civil government acts on behalf of that wiſdom, and in conformity with that rule; and as the authority of wiſdom is in every age unalterably the ſame; it ſignifies nothing in what ſpecific generation the injunctions of wiſdom received the ſanction of human laws. In order, therefore, to be free from ſo embarraſſing a rule, and to leave the door open to the continual action of intereſt and paſſion, theſe have endeavoured to perſuade, that government has no rule but the *will* of the community, thereby intending to give force to the *abſolute will of man*, independently

of every moral rule. And to this hypotheſis they have adapted all their reaſoning. But if this principle were admitted, man's right would extend to prevent the continuance of any inſtitution that wiſdom might enjoin; and the ſpeculations of every race, being backed by an alleged right to make experiment of thoſe ſpeculations, the beſt efforts of wiſdom might be over-ruled by the operation of a principle, pretended to be implanted by wiſdom herſelf; than which nothing can well be more prepoſterous and abſurd. Such a right would, in effect, be a right to maintain an unceaſing revolution of human affairs; and the right of one generation, following cloſe upon that of the preceding one, the old age of man would have no ground for hoping, that it ſhould enjoy the continuation of that which his manhood had laboured to eſtabliſh; there having ſprung up a new right with power, capable of over-ruling the bare right, which the decrepitude of age now left deſtitute of ſupport. Thus, the duration of governments would merely extend from the age of vigour in one generation, to the age of vigour in another; and their ſtability would remain to be computed by the longevity of man in each, determinable only by their reſpective bills of mortality.

On ſuch a foundation would reſt the whole fabric of ſociety, the whole apparatus of government, if there were not ſome ſecure ground, ſome ſolid *ſubſtratum*, immoveable by any plea of right in man; on which ſuch plea muſt depend; and which, in the event of oppoſition, muſt quaſh every plea of right ſet up by man. Such a ground is wiſdom; enjoining ſtrict obſervance of the rule of duty, thence deducing the notion of right in man; and directing to an union of the natural energies of man, to compel obſervance of that rule, thence to acquire the natural objects of that right. This is the only true and genuine nature of government, which is more or leſs good, not as it agrees or diſagrees with arbitrary and indiſtinct notions of right; but, as it is more or leſs capable of ſecuring the end ſought for by its inſtitution.

Until a remote view of the coruſcations proceeding from the conflagration of the ancient monarchy of France, was miſtaken by many for the dawning luſtre of a brighter day, we were all accuſtomed to believe, that this great object was attained, and in a manner almoſt miraculous, under our revered conſtitution. There are ſtill many, very many, who hold this opinion unſhaken; who have been proof againſt the ſhort-lived illuſion.

Theſe conceive, that the pole ſtar of wiſdom, by which the helm of Britain has been ſteered during a boiſterous voyage of many centuries, and by means of which the ſacred veſſel was at length proſperouſly brought to her moorings in the haven of the Revolution, preſents to all mankind, but experimentally to Britons, a far ſecurer guidance than the incendiary blaze of France, however its glare may ſenſibly exceed in intenſity, or its apparent diameter in magnitude.

We ſhall enter into no further examination of the peculiar excellencies of the conſtitution, firſt, becauſe it would extend this addreſs beyond all conſiſtent bounds; ſecondly, becauſe we have done all that we were deſirous of doing, by ſhowing that the Engliſh conſtitution eſtabliſhes that equal neceſſity to obey the force of government in every individual, which is the object of all government, and that it does this ſolely by the triple and equal diſtribution of its legiſlative power; but laſtly, and moſt particularly, becauſe that work is already greatly accompliſhed, and by talents widely different from ours. Were thoſe invaluable productions as induſtriouſly conſulted, as the ſcurrilous and lying ribaldry diſſeminated by the friends of diſorder; the conſtitution would become an object of far more enthuſiaſtic admiration, than

than it has ever yet been of obloquy and abuſe. To thoſe ſound and perſuaſive writers, let us direct the attention of every deſcription of Engliſhmen; thoſe particularly, who feel an anxiety to form an opinion of the conſtitution, or a deſire to pronounce a judgment upon it; but moſt eſpecially thoſe, who have joined in the uproar and clamor that ignorance, yielding itſelf to the authority of treaſon, has ſo zealouſly raiſed againſt it. There they will diſcover, with wonder and with indignation, that they have been made the dupes of the moſt hollow and unſubſtantial artifice that was ever exerciſed over the underſtandings of mankind. There they will diſcover, that what has been held forth to them as an object deſerving only of their contempt, their ſuſpicion, and diſguſt; will transfix them by the evidence of its worth, and fulfil them with confidence, with affection, and reſpect: They will ſoon be convinced, that thoſe who ſlandered their birthrights and the ſource of their ſecurity, had their ſecret reaſons for being the enemies of their birthrights and ſecurity; and if they cannot exactly trace the ſpecific intereſt that each purſued by ſuch a proceeding, they will at leaſt detect the ſpirit of treachery and villany that conſpired their deſtruction. To thoſe oracles, therefore, of fair and honeſt reaſoning, thoſe juſt and faithful expoſitors of the laws and conſtitution of his country, we refer

refer every inquiring Briton;* ſatisfying ourſelves with producing here only one authority, but which is qualified for this ſelection by the particular character of the man, whoſe writings have eminently tended to raiſe that perturbed and unhallowed ſpirit, which, from the heart of France, his native country, now diffuſes melancholy and diſtreſs over the whole face of Chriſtendom.

" We may believe," ſays this writer, " that a " conſtitution which has regulated the rights of the " king, of the nobles, and of the people, and in " which each finds his ſecurity, will laſt as long as " any thing human can laſt. We may further " believe, that all ſtates that are not founded on " ſimilar principles, muſt undergo revolutions."

" The government of England has attained " this object by inſtating men in all thoſe natural " rights of which they are abridged in almoſt " every monarchy. Theſe rights are, entire liberty " of his perſon and property; the liberty of ad- " dreſſing the nation in writing; of not being " judged in any criminal matter otherwiſe than " by a jury compoſed of independent men; of

* See Blackſtone's *Commentaries* Vol. I. De Lolme, on *The Conſtitution of England.* Paley's *Moral Philoſophy*, Vol. II. b. 6. Monteſquieu's *Spirit of Laws*, b. 11.

" being

" being, in no caſe, otherwiſe judged than accord-
" ing to the ſtrict terms of the law; of peaceably
" profeſſing any religion, with the ſole condition
" of foregoing thoſe particular ſituations which
" are ſet apart for the eſtabliſhed church. Theſe
" are ſtyled *prerogatives*; and it is in truth a very
" great and happy prerogative, over and above
" moſt nations of the earth, for a man to be ſure
" in going to bed that he ſhall riſe in the morn-
" ing maſter of the ſame property he then poſ-
" ſeſſed; that he ſhall not be torn from the arms
" of his wife, from his children, in the middle of
" the night, to be conveyed to a dungeon or a de-
" ſert; that in riſing from his bed he ſhall have the
" power of publicly expoſing his thoughts; that
" if he is accuſed of any crime, either by act, by
" ſpeech, or by writing, that he ſhall only be
" judged according to law. And this prerogative
" extends its foot to every one who ſets his foot
" in England. A foreigner enjoys equally the
" liberty of his perſon and property; and if he is
" accuſed, he may demand that half his jurors
" ſhould be alſo foreigners.

" I will venture to affirm, that if the whole
" race of men were aſſembled for the purpoſe of
" making laws, they would be formed after this
" model for the general ſecurity."*

* Voltaire, *Dict. Philoſoph. Gouvernment.*

Such

Such is the condition, under which that portion of mankind who inhabit the Britiſh iſlands, enjoy by God's good providence their favoured exiſtence! ſuch is the reſult of that coincidence of circumſtances, which has conſpired to place their country on the pinnacle of the world; and which has rendered Great Britain the mediating power in the ſcale of nations, to which all look for the preſervation of the rights and liberties eſtabliſhed among ſtates. To every Engliſhman, the conſtitution of his country is his deareſt and moſt valuable poſſeſſion; it is his *right* to hold and to preſerve it. But it is alſo the right of his poſterity, intruſted to his care; it is therefore his *duty* to honour and to defend it. It is an efficient engine in his own hand, the beſt that the united labours of reaſon and experience have yet been able to produce, for acquiring the moſt practicable happineſs that the ſhort life of man can ever hope to taſte. It is his right to defend it, as he defends his caſtle; but what is of far prior importance, it is his bounden duty to defend it.

There is an expedient, congenial to their natures, to which the adverſaries of the conſtitution have ready recourſe, in order to repreſs any movements YOU might be diſpoſed to make to control the activity of treaſon; and that is, by repreſenting all ſuch

ſuch efforts as engaged in the ſupport of tyranny, and having for their ultimate object to extend the power of the Crown; thus repelling the charge of treaſon by the counter-charge of ſervility. And if ſuch a ſtratagem could be ſucceſsful; if conſcious integrity were unable to maintain itſelf againſt conſcious crime; if the courage of virtue could not cope with the courage of guilt, nothing more would be required to extinguiſh the conſtitution, and to accompliſh the ſcheme of anarchy and deſolation. As ſoon as Engliſhmen ſhall be deterred, by the lofty tone of traitors, from engaging openly and boldly in the cauſe of duty; as ſoon as the fear of enduring that imputation which their hearts repel, ſhall overcome their propenſity to diſcharge that duty which their hearts enjoin; as ſoon as juries ſhall imbibe the fatal maxim, that the crime of treaſon is of ſo indefinite and doubtful a quality, as to deſerve by every poſſible contrivance to be reſcued from the rigour of the law; and as ſoon as it ſhall be radicated in the minds of the multitude, that though it is the duty of every one to bring forth to juſtice, him who ſteals to ſatisfy the cries of hunger in an impoveriſhed family, it is yet infamous, and an offence againſt all ſociety, to inform againſt him who endeavours to plunge ſociety itſelf into miſery and blood; as ſoon as all theſe things ſhall be accompliſhed, the triumph of treaſon will

be completed, and the period of our illuſtrious government irrevocably fixed. But if theſe things are permitted, if they who feel the impulſe of duty to maintain the authority of government, are to be checked in their purpoſe by the falſe and infamous aſperſion of ſervility, directed againſt them from rebels and conſpirators; what becomes of conſcious ſincerity, of virtuous courage, of triumphant honour? Shall theſe be baniſhed from the nation in accomodation of the ſcheme of treaſon? Shall the clamor of villany unnerve and paralyſe the arm of integrity? Is not this the ſtale and hacknied artifice of crime wherever it appears? Has not the tyrant at all times challenged the aſſertor of liberty for a rebel; and has not the traitor at all times challenged the vindicator of government for a ſlave? And are theſe ſenſeleſs words, uttered in rage and deſpair, to command the world and to break the ſpirit of freemen? It is our duty, a duty which honour no leſs than conſcience peremptorily enjoins, to take our poſt between tyranny and treaſon; to reſiſt with equal vigour and unrelaxing determination, the enemies of regulated liberty, from which ever ſide they advance; whether they inſult under the ſtyle of Prince or of Citizen; whether they emblazon on their banners the Crown or the Cap; whether their pretext be, to reduce rebellion, or to extinguiſh tyranny: they are equally

and

and eternally the enemies of peace, of freedom, and of England.

At all times the defence of juſt government is the defence of right. The intereſt of the power of government, under the Britiſh conſtitution, is the perſonal intereſt of every free and upright Briton. It is the power that commands that ſtate of outward circumſtance, from whence reſults the enjoyment of every object of his right. At all times, therefore, intereſt and duty direct us, with the voice of authority, to maintain the conſtitution in all, and each, its parts.

But at this particular time, and in reſpect of thoſe tragical events to which this addreſs has reference, the duties of Engliſhmen, and of YOURSELVES moſt eſpecially, are called forth in a peculiar manner towards that particular branch of the conſtitution, which has been more immediately endangered.

Thoſe who are unable to diſcriminate between courage and ferocity, between religion and ſuperſtition, between the uſe and the abuſe of things, we have no hopes of convincing that loyalty is not ſervility. But let ſuch perſons know, that the confuſion of their own ideas will induce no confu-

ſion into the nature of things; and that none are ſo little likely to lapſe into ſervility, as they who take pains to inveſtigate the nature of loyalty, and to aſcertain its extent.

" Allegiance," ſays the Law of England, " is " uſually, and therefore moſt eaſily, conſidered as " the duty of the people; and protection, as the " duty of the magiſtrate; and yet they are recipro- " cally the rights as well as duties of each other. " Allegiance is the right of the magiſtrate, and " protection the right of the people.*"

" Allegiance is the tie, or *ligamen*, which binds " the ſubject to the king, in return for that pro- " tection which the king affords the ſubject.†"

" The law holds, that there is an implied, origi- " nal, and virtual allegiance owing, from every ſub- " ject to his ſovereign.—For as the king, by the " very deſcent of the crown, is fully inveſted with " all the *rights*, and bound to all the *duties*, of " ſovereignty, before his coronation; ſo the ſubject " is bound to his prince by an intrinſic allegiance, " before the induction of thoſe outward bonds, of " oaths, homages, fealty, which were only inſtitut-

* Blackſtone. B. I. c. 1. † Ib. B. I. c. 10.

ed

" ed to remind the ſubject of his previous duty,
" and for the better ſecuring its performance.—
" Which occaſions Sir Edward Coke very juſtly
" to obſerve, that all ſubjects are equally bound
" to their allegiance, as if they had taken the
" oath; becauſe it is written by the finger of the
" law in their hearts, and the taking of the corporal
" oath is but an outward declaration of the ſame.*"

" It is due from all born within the king's
" dominions immediately upon their birth. For
" immediately on their birth they are under the
" king's protection; at a time too, when (during
" their infancy) they are incapable of protecting
" themſelves. Natural allegiance is therefore a
" debt of gratitude, which cannot be forfeited,
" cancelled, or altered, by any change of time,
" place, or circumſtance, nor by any thing but the
" united concurrence of the legiſlature.†"

" Allegiance is held to be applicable, not only
" to the political capacity of the king, or regal
" office, but to his natural perſon and blood royal.—
" And from hence aroſe that principle of *perſonal*
" *attachment*, and *affectionate loyalty*, which induced
" our forefathers (and, if occaſion required, would
" doubtleſs induce their ſons) to hazard all that was

* Ibid. † Ibid.

" dear

" dear to them, life, fortune, and family, in defence " and ſupport of their liege lord and ſovereign."†

Thus ſpeaks the free, but juſt and honourable, ſpirit of the conſtitution, by the pen of one of the ableſt aſſertors of the rights and liberties of Engliſhmen. And the more we ſhall examine what it pronounces the more we ſhall diſcover, that every fair induction of reaſon, every genuine impulſe of honour, will guide us to the ſame concluſion.

The protection to be thus afforded, to the ſubject, proceeds in a principal degree from the natural and mechanical exerciſe of the regal office; which is ſo contrived under that admirable form of government which we have in a general way conſidered; that the moſt common action of its own principles, if they receive no obſtruction from him who is to exert it, furniſhes a degree of protection to the ſubject, unknown in any other country. But if it happen that the individual exerciſing that office, at any given time, ſhall poſſeſs a mind harmoniſing with theſe principles, and ſhall add the impulſe of his own inclination to the natural action of the ſprings, as opportunity ſhall offer; then the degree of protection is increaſed; and although the great majority of protection afforded, is to be

† Ibid.

attributed

attributed to the kingly office legally diſcharged, yet the acceſs of protection is to be aſcribed to the particular inclination of him who exerciſed it; and is, upon every principle of truth and ordinary juſtice, to be imputed to the individual himſelf.

What general protection has been uniformly extended to the nation, by the faithful diſcharge of the duties of the Crown; but in a more eſpecial and ſtriking manner, during the awful criſis of the preſent reign; during the paroxyſm of ſeditious and fanatical fury in the year 1780; and again, during the laſt few years, in which the alarm that pervaded the nation has been gradually allayed by the wiſdom and determination of parliament, and the daring enemies of the conſtitution coerced and reduced, by the firm and faithful exertion of the executive arm; is known and felt by all who are ſo happy as to poſſeſs their minds in freedom, unbiaſſed by the control of paſſion or of party. But to tell Engliſhmen that they enjoy the general protection iſſuing from the Crown through every ſubordinate function in the realm, would be an idle occupation of their time; it would be telling them of that which the experience of every pariſh in the kingdom, daily and hourly demonſtrates. But to inquire whether we have received any particular protection

protection from the opportunities afforded to the actual poſſeſſor of the Crown, and to be aſcribed to himſelf, *perſonally*, on the principle above adduced, may not be ſo idle an occupation of their time; and it is one that honour and juſtice poſitively enjoin; becauſe it is againſt him *individually* that paſſions the moſt infernal, acting by inſtruments the moſt formidable, have directed all their energy.

Perſonal liberty, is the great cry of Engliſhmen; it is the houſhold god of every tenement in the realm; it is ſo deeply impreſſed upon our imaginations, that many while they actually poſſeſs it, run about in purſuit of it, with as much anxiety and as much jealouſy, as if they had it not. It has been the policy of arbitrary ſovereigns, in all times and countries, to preſerve an influence over the courts of judicature, in order to enſure the execution of their will, and the coercion of thoſe who might attempt to diſturb its career. They did this, either by reſerving to their own perſons the power of determining cauſes, or by appointing to that office creatures of their own, inſtruments of their deſigns, and dependants on their pleaſure. " In very early times, our kings (ſays Blackſtone) " often heard and determined cauſes between " party

" party and party." In the courſe of events, " they delegated their judicial power to the judges " of their ſeveral courts ;" but ſtill, as theſe held their ſituations by the pleaſure of the ſovereign, and as the emoluments of thoſe ſituations depended on the ſame pleaſure, the door was open (as experience ſhowed) to many and great abuſes, and to various opportunities for ſatisfying the appetite of the Crown, at the expenſe of the liberty of the ſubject. To remedy this dreadful evil in ſome degree, and to prevent the entrance of ſo many abuſes as that latitude admitted, a ſtatute was enacted in the thirteenth year of WILLIAM III. by which the judges' commiſſions were made out to continue during their good behaviour, their ſalaries were regulated, and other proviſions were made, tending conſiderably to reduce their dependance on the Crown. But though the door to abuſe was thus nearly cloſed, yet it was not entirely ſhut; and while it remained in any degree open, abuſes were ever liable to inſinuate themſelves, and the perfect liberty of the ſubject remained unſecured. Such was the caſe when his preſent Majeſty aſcended the throne of England; but——————*ſuch is the caſe no longer*. Hiſtory will faithfully proclaim, and poſterity will gratefully commemorate, the illuſtrious cauſe of this laſt act that remained, to cloſe and rivet the perfect liberty of Engliſhmen. It

ſtands thus recorded on a page, that will outlaſt every thing that is not immortal as the ſpirit of its author; that,

" BY THE DESIRE OF HIS PRESENT MA-
" JESTY, THE JUDGES HAVE BEEN MADE
" COMPLETELY INDEPENDENT OF THE KING,
" HIS MINISTERS, AND SUCCESSORS."*

" By the noble improvements of the law of
" 13. W. III. in the ſtatute of 1. Geo. III. enact-
" ed at the earneſt recommendation of the King
" himſelf from the throne, the judges are conti-
" nued in their office during their good behaviour,
" notwithſtanding any demiſe of the Crown,
" (which was formerly held immediately to vacate
" their ſeats) and their full ſalaries are ſecured to
" them during the continuance of their com-
" miſſions; his Majeſty having been pleaſed to
" declare, *That He looked upon the independence*
" *and uprightneſs of the judges, as eſſential to the*
" *impartial adminiſtration of juſtice; as one of the*
" *beſt ſecurities of the rights and liberties of His*
" *ſubjects; and as moſt conducive to the honour of*
" *His crown.*†"

By thus obtaining the door to be finally cloſed againſt abuſe, or undue influence, in the admi-

* Blackſtone, b. iv. c. 33. † Blackſtone, b. i. c. 7.

niſtration of juſtice, to the prejudice of the liberties of the ſubject, and by effectually removing the judges beyond the reach of royal or miniſterial diſpleaſure, His Majeſty has done that, which if told of ſome hero of remote time, would have ſtood foremoſt in the catalogue of his deeds. Here then we believe, that juſtice muſt concede, that not only mechanical protection has been afforded by the Crown, but that this protection has been increaſed by the cauſe abovementioned; namely, the impulſe of inclination in a mind harmonizing with the principles of the conſtitution, in the man actually adorned by the crown.

There is another kind of protection, not neceſſarily flowing from the kingly office, however eminently becoming it, and that is, the protection, or general benefit and ſecurity, reſulting from the force of virtuous example. This, wherever it occurs, is perſonal and individual; it is the effect, not of human laws, not of artificial contrivance, but of an intrinſic regard to what is right, of an active principle, urging to the obſervance of that moral rule which the mind recogniſes to be preſcribed by God. Whether or not ſuch example is diſplayed from the throne, let common ſenſe, and common-place honeſty pronounce. We ſhall not make this appeal to cavillers and ſcoffers thoſe

annoyers of every thing grave and important, but to thoſe who compoſe the great bulk of the nation; to all the different relations of huſband and wife, of parent and child, of maſter and ſervant. Let every family be a tribunal to decide, whether domeſtic virtue is recommended from the throne, by the commanding power of example; whether the obſcureſt retreat affords an inſtance of nature's faireſt ties more honoured or ſecured, than in the focus of artificial life, in the vortex of pleaſure and extravagance? If the deciſion is affirmative, then let us look back to ſee, how often hiſtory teaches to expect the return of ſo great a bleſſing. What if the Court were a ſcene of profligacy and irreligion? What if we ſaw revived the diſſolute times of Charles the Second? Should we not then, purſue in imagination, what we now in reality poſſeſs? Since, then, we have the protection of example held out from the eminence of ſovereignty and with a luſtre not often paralleled in the annals of our hiſtory, let us not be ſo deſpicably mean, as to withhold from it the honour due to it in every ſituation in life; nor ſo prepoſterouſly ſtupid, as to be unable to eſtimate its value in that particular elevation. Let us cheriſh the bleſſing we poſſeſs with all the anxiety that honour can inſpire, and defend it with all the effect that wiſdom can ſuggeſt; and when the courſe of nature ſhall occaſion the

the demiſe, may the impreſſion of the example accompany the progreſs of the Crown, through every future deſcent!

"*The Rights of Man*," with equal abſurdity and inſult, takes pains to ſignify to us that the king is a man; and to this ſublime diſcovery, its diſciples triumphantly ſubſcribe. Miſerable reſource of impotence and ſpleen! The king is indeed a man like ourſelves, placed in the moſt arduous and perplexing of ſituations. Are any ſo groſly dull as to think, that a king has more capacity for pleaſure, leſs capacity for pain than another? that the proportions of happineſs are bigger in him than in another? if any ſuch ſhould exiſt, the ſordid ſcoffing of that libel will be converted into a ſalutary and uſeful inſtruction. The king is indeed a man, and it is from this common nature that reſult, the duties we owe to him, and that he owes to us. But while this herd aſſume great merit to themſelves for thus reducing a king to the ſtandard of a man, they perpetuate the diſtance they pretend to have effaced, by reducing themſelves below the ſtandard of men. For what can the mind conceive more abſolutely below the character of men, than the mixture of ferocity and cowardice they at once diſplay? what can be diviſed more daſtardly, than to abuſe the aſſured forebearance and temper of the executive arm, to the in-

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fernal purpoſe of deſtroying the life that might exert it; what more cowardly and ferocious at once, than with the genuine ſpirit of a Nero, to aim a death blow at the conſtitution in that part, where the political body becomes united under one head?

The king is indeed a man; one placed, for the public ſecurity and peace,* in that ſingular ſituation, a ſituation in which he can have no equal, conſequently no friend, except it be upon the principle of loyalty. If loyalty be extinguiſhed, let even the clumſieſt feelings ſuggeſt what muſt be the ſituation of a king, of one eſpecially whoſe powers of acting are limited and preſcribed. The life of a king, of this country at leaſt, does not conſiſt of gold and purple, of pomp and enjoyment, of the chace or the theatre; envy or malignity muſt have corroded that man to the very core, whoſe mind can diſcern in the ſituation of a king, nothing but the outward accidents of ſplendor annexed to the office, (and therefore inſeparable from the perſon), for the moſt reaſonable of purpoſes; and whoſe imagination magnifies thoſe ſatisfactions which the human nature requires according to its relative ſituations, into a ſtate of perfect enjoyment, and emancipation from all concern. To be the perpetual butt and mark of ambition, diſappointment, re-

* See this ſubject profoundly and honeſtly treated by the Republican De Lolme, b. ii. c. 2. & 10.

venge

venge, obloquy, and ſcurrility; to live in the certainty of multiplying enemies in a compound ratio to any favour that the office muſt confer on ſome one; to paſs an exiſtence in the daily exerciſe of ſome part or other of the moſt weighty and embarraſſing of functions; to feel in no ſingle inſtance the perfect liberty of life, free from the neceſſities of ceremony or buſineſs; to be obliged to ſubmit weekly to the afflicting duty of ſigning the doom of men; thus having ſcenes of crime, death, and diſtreſs, continually before the mind: theſe, and a thouſand other conſiderations, evidently ſhow, that the ſituation of a king, as it is in no degree an object for our envy, ſo neither is it a fit object for our hatred. The king, leſs than any other man, can make his perſonal intereſt the end of his acting. When therefore his perſon is endangered, he defends it as a public and not a private concern. But as public meaſures are not determined with the ſame rapidity with which private intereſts are purſued, but require deliberation and calculation of the bearings of different intereſts; he is often obliged to poſtpone the conſideration of the kingly perſon that can die, to the dignity of the kingly office that cannot die. Here, then, is a ſavoury moment for the ſanguinary appetite of treaſon. But how feels *loyalty?* or, in other words, how feel *juſtice* and *honour?* They impel to the ſuccour of the prince; they ſympathiſe with the feelings of the man;

they view him as brought into this diſtinguiſhed peril, from being foreman in their cauſe; they reſolve to ſhare in that danger which the defence of their rights has occaſioned; they anticipate the claim to allegiance, which the protection of thoſe rights has eſtabliſhed; and they vie in each to form a phalanx round the man, in whoſe perſon is ſought, the diſſolution of government, the enlargement of all crime, the plunder of all property, and the annihilation of the ſyſtem of our happineſs, raiſed on the well-laid foundation, of the Engliſh Conſtitution.

Such ever was, ſuch in a peculiar manner is at preſent, and ſuch under parallel circumſtances ever will be, the ſuggeſtions of native and unalloyed honour, even though it were never to be called by the name of loyalty.

Is it for Us deliberately to inquire, whether the ſucceſs of the ſcheme of regicide would in reality be attended by effects ſo durable and extenſive? is it for Us to compute, whether, and how much, they have overrated its iſſue; and to regulate OUR correſponding ſentiments by the cold rule of geometrical proportion? If it be ſo, let *allegiance* be meted out by the ſtricteſt rule of *protection*; let it be iſſued with the moſt parſimonious attention to that rule.

rule, let mechanical protection receive only mechanical allegiance; let rational protection receive a rational allegiance; but let affectionate protection alſo receive from the breaſts of Engliſhmen, that affectionate loyalty which none but freemen can beſtow, and which our anceſtors moſt liberal y gave, when they graſped the ſword in defence of their liberties.

Let this principle live, let the reaſon on which it lives be cultivated, and it cannot fail to prevent the return of thoſe odious ſcenes which the preſent occaſion retraces on our memory. If it ſhould not enflame the hearts of thoſe who at that time ſo deeply ſold themſelves to treaſon, it will at leaſt inflame YOUR hearts, who occupy the capital, who conſtitute its ſtrength and ſplendor, and who are equally intereſted in its honour as its ſafety. Let Engliſhmen feel their native value; let them feel, not only that the defence of the government is their duty, but that the protection of the conſtitution is their right; and if the protection of the whole be their right, ſo is that of thoſe parts of which the whole conſiſts. If the ſubject of the divan proſtrates himſelf in the progreſs of his ſultan, let him know that he bows before him whoſe property he is, who has power over his

perſon and his life. But if the freeman of Britain ſhall eſcort the progreſs of the Crown, if he ſhall teſtify his loyalty by ſhouts and acclamations, let him know that he offers this tribute to one, who has no power whatever over his perſon or his life; but to him who is the oſtenſible head, and higheſt organ, of that conſtitution, from whence all his enjoyments and ſecurity proceeds; of that conſtitution, which is his native and unalienable birthright, and in defending the diſtinct, conſtituent parts of which, he defends the ſum and complement of all his happineſs.

So truly is the government of England conſtituted in conformity with the laws of man's nature, that duty and right equally conſpire in directing to its defence.

It appears, that a ſenſe of the powerful union of theſe two principles, duty and right, urging to the defence of the conſtitution, has driven its enemies to employ all their abilities to ſeparate the two, and having ſeparated them, to endeavour to deſtroy, or prevent, the natural force of each. They ſought to rob the conſtitution of the ſupport it received, from the perſuaſion that it inſures to every one the enjoyment of his natural right, by contending, that the

the objects of that right, far from being comprehended by, are excluded from, the eſtabliſhed ſyſtem of Engliſh polity; ſo that the activity which a ſenſe of right inſpires, ought rather to be directed in ſubverſion of ſuch a ſyſtem, than in its preſervation. But, deſpairing of the ſucceſs of ſo ſcandalous a falſehood, while the mind of man was undiſturbed by paſſion, and capable of apprehending truth in its native form; they called forth a freſh exertion, and endeavoured to eradicate the motive of duty. They found, that the bonds of ſubordination could never be looſened, while the principle of duty continued to triumph over every other motive of action. They, therefore ſet themſelves to enfeeble this principle; by perſuading the intereſts and paſſions to believe, that it was a fiction of tyrannic birth, intrinſically hoſtile to the high and ſublime notion of abſolute right; which (they maintained) ought to be the firſt and governing motive in man. Thus ſending God into the back ground, and rendering their actual gratification the leading conſideration of their nature. This ſtratagem partially ſucceeded; ſtill however the tree adhered to its native ſoil. They could not entirely eradicate it; for though they ſucceeded in burſting many of its roots, it ſtill held firm by the ſtrong tap-root of religion. As every principle of religion inſtigates to the diſcharge of duty, and therefore tends to

confirm the fabric of civil government eſtabliſhed, every ſuch principle became adverſe to their views in proportion to its vigour. But of all ſuch principles of religion, the moſt completely and inexorably deſtructive of their endeavours was, the principle of chriſtian religion; becauſe it ſurpaſſed every other by the diſtinctneſs of its rule, the brilliancy of its evidence, and the power of the motive it affords. They obſerved, that thoſe who really act in obedience to its impulſe, act in the ſtricteſt parallel with the original direction of government, and act inflexibly: that they eminently conſider *duty*, as the only rule for human acting: that they cannot be too minute in aſcertaining that rule: that they deny the breach of any duty to be compatible with the eſtabliſhment of any right: and that they eſtimate the affairs of earth as an object by no means fitting to terminate the ſpeculations of the human nature. Here then was a force which, if government could attach it to itſelf, was ſuperior to every power of reſiſtance they could poſſibly oppoſe to it: it was a ſelf-acting, a ſelf-controlling principle, by which each would compel himſelf to do that, which government was contrived to compel every one to do. It is no wonder that they who laboured to defeat the end of civil government, and to emancipate the paſſions from moral control, ſhould obſerve a principle of ſo fatal a tendency,

with

with extreme jealouſy, averſion, and diſmay: That they ſhould fear beyond all things the inveteracy of ſuch a principle; and ſhould obſerve with alarm the vigour it might poſſeſs: that in proportion as it was ſtrong and fixed, their enmity to it ſhould increaſe: and that if they ſhould any where diſcover it to be eſtabliſhed on a baſis that no human means could affect, that their rage and deſpair ſhould be carried beyond all bounds. To this, then, as to the ſtrong and towering fortreſs that defied all their attempts, and oppoſed the completion of their triumph, the great collected force of aſſailment was to be directed. Like thoſe who exclaimed on ſeeing the laſt apparent obſtacle of their deſires; *come let us kill him and the inheritance ſhall be ours*; ſo argued theſe; *come, let us cut chriſtian religion by the root, and the ſubaunary world is ours to rifle and deſpoil.*

Thus it was that,

——" He, who envies now YOUR ſtate,
" Who now is plotting how he may ſeduce
" YE alſo from obedience, that with him,
" Bereav'd of happineſs, YE may partake
" His puniſhment."

He, who firſt endeavoured to rob us of all preſent enjoyment by his, " Rights of Man;" ſet himſelf with increaſed aſſiduity to ſubvert all our ſpeculations

gulations of a future happineſs, by his, " Age of " Reaſon."

The adverſaries of Chriſtianity exhibit various degrees of acerbity and force, of bigotry and fraud. Experience, however, has happily ſhewn, that it is far from being as really dangerous to the intereſts of human ſociety, as it is hideous to the mind, when the enemies of civil order and religion arrive at the laſt act of their deſperation, and raiſe the arm againſt heaven. Though nature ſeems to blacken at the ſcene, the criſis is then paſt; man has done his worſt. While the energies of man combat with their equals, the adverſary may long preſerve an appearance of equality, ſometimes of ſuperiority; but when at length he arrogantly preſumes that he has exhauſted the oppoſitions of earth, and throws out the gauntlet to heaven, there ſcarcely exiſts a mind ſo miſerably depraved, as not to find the illuſion inſtantly diſappear. The true proportions of the quixote become inſtantly portrayed; and he who one while puzzled the imagination by the magnitude of his pretenſions, now ſhrinks to the tininefs of a mite, too ſmall for any other affection, unleſs that of compaſſion, And though the heart may palpitate at the impiety of the aſſault, it yet conceives

conceives no portion of alarm; on the contrary, the apprehenſions that firſt poſſeſſed the fancy are now allayed, and the mind relapſes into quiet by a conſideration of the power provoked into the conteſt. We may venture to pronounce, that if the puny champion inſtead of coming ſingly, were followed by "the gates of hell," they would "prevail" nothing.

When the enemies of God and man have brought the battle to this iſſue, the warfare of man is cloſed. If man has faithfully defended that ſphere that he was created to fulfil, God has undertaken the reſt, and will confirm the intereſts of man. He has prepared an hoſt invincible, ever ready and alert for ſuch occaſions; an hoſt of evidence, brighter than the blaze of noon; and which are poured forth from the arſenals of truth, whenever the welfare of his ſervants demands it.*

It

* The arguments by which the truth of Chriſtian Religion is upheld, have been invariably the ſame in every age, becauſe in every age the ſame grounds of oppoſition have been urged againſt it. It ſtands therefore invincibly eſtabliſhed, by the efforts of reaſon and learning, in each ſucceeding generation. The reader will find a moſt convenient ſummary of theſe in, Grotius, *On the Truth of Chriſtian Religion.* Butler's *Analogy of Religion, natural and revealed, to the Conſtitution and Courſe of Nature.* Addiſon's *Evidences, &c.* Leſlie's *Short and eaſy Method with the Deiſts.* Mr. Archdeacon Paley's *View of the Evidence of Chriſtian*

It is impoſſible for the mind, on this occaſion, not to recal that deſcription which the poet ſo terribly paints, when the enemies of the eternal polity of heaven arrived at the period of their diſcomfiture, and,

" Stood reimbattel'd fierce, by force or fraud
" Weening to proſper, and at length prevail
" Againſt God and MESSIAH, or to fall
" In univerſal ruin laſt; and now
" To final battel drew, diſdaining flight
" Or faint retreat, when the great Son of God
" To all his hoſt on either hand thus ſpake.
" Stand ſtill in bright array, ye Saints here ſtand
" Ye angels arm'd, this day from battle reſt;
" Faithful hath been your warfare, and of God
" Accepted, fearleſs in his righteous cauſe;
" And as ye have received ſo have ye done
" Invincibly; but of this curſed crew
" The puniſhment to other hands belongs;
" Vengeance is his, or whom he ſole appoints;
" Numbers to this day's work is not ordained
" Nor multitude; ſtand only and behold
" God's indignation on theſe godleſs poured
" By me; not you, but ME THEY HAVE DESPISED."

While the conteſt was of thoſe matters which called for the vigorous exertion of the mind to

tianity: and in Biſhop Watſon's, *Apology for Chriſtianity*, addreſſed to Mr. Gibbon; and his *Apology for the Bible*, addreſſed to Mr. Paine. To theſe, the reader may add, with ſatisfaction to himſelf, *The Jews' Letters to M. Voltaire*; and the celebrated M. Bonnet, of Geneva, on the Truth of Chriſtianity: he will alſo find many of the arguments collected with the moſt pious and benevolent deſigns, in Sullivan's *View of Nature*, vols. v. vi.

vanquiſh

vanquiſh error, or eſtabliſh truth, on points reſpecting man's nature, but which were involved in perplexity and obſcurity, then was toil and fatigue, doubt and diſmay. But, when the conteſt is turned to matters long ſince reſcued from all perplexity or obſcurity, and placed for ever in the full meridian of truth; when it is turned to heaven, and to the diſpenſations of heaven by which happineſs both preſent and eternal has been diſpenſed to millions; then the labours of man ceaſe; he is left free and unmoleſted; he needs only to direct his mental perception towards that blaze of evidence, which all thoſe who are ſincerely anxious to diſcern, have it always in their power to do.

Beſides theſe, the more virulent and ferocious enemies of chriſtian religion, there is another claſs, certain coxcombs of ſophiſtry and ſarcaſm, on whom the courteſy of the world has laviſhed the title of philoſophers; who triumph prodigiouſly, whenever they ſee their pigmy champions ſtrutting in defiance of that coloſſal power, whom the wiſeſt and beſt of men during eighteen centuries have worſhipped, from the dawn of reaſon to the cloſe of life, with unrepenting devotion, and with the moſt exuberant conſolation. As a ferocious malignity ſeems to characteriſe the former, ſo a ſneering malignity ſeems to characteriſe theſe. But

they ſeem little aware of the nature of that ridicule to which they ſo familiarly recur. They appear not to have diſcovered in human nature, that the readineſs with which laughter is excited by ſerious objects, is uſually in inverſe proportion with depth of penetration, extent of comprehenſion, or power of combination. Where a wiſe man diſcovers an object for ſerious contemplation, one of theſe can only glean a few ſcattered and unconnected matters, titillatory of laughter, and congenial with the weak flaccid texture of their minds. Let ſuch philoſophiſts know, that from the days of Sir Chriſtopher Wrenn, myriads of little inſects have paſſed their hours in detaching and removing particles of mortar, moſs, perhaps of ſtone itſelf from the immenſe fabric of St. Paul's cathedral; yet have their little labours produced no ſenſible effect whatever on the ſolidity, magnitude, beauty, unity, or utility, of that moſt ſumptuous ſtructure. And juſt ſo the reptile inſtruments of ſophiſtry and ſarcaſm, ſo buſily employed againſt the far more ſtupendous fabric of chriſtian religion, have worked for ages without producing any effect; unleſs indeed in the microſcopic eyes of the inſects themſelves; the capacity of whoſe optics is not ſufficient to embrace the entire form and proportions of that body, on which each one exerciſes his forceps or proboſcis, in conſtant, but ineffectual, atrition. There have

have been thoſe, who were able to notice in the convulſions of death, nothing but the wry face; there were alſo thoſe, who while Socrates was imparting to the heathen world truths to them the moſt conſolatory and ſublime, could attend to nothing but his turned up noſe. Theſe were minute philoſophers; men, gifted with the ſplendid faculty of abſtracting the wry face and the turned up noſe, from all the various confuſed objects preſented to the heart and underſtanding. Of a ſimilar complexion are they, whoſe mental powers are ſo conſtructed, as to be able only to diſcover in the cumbrous compound of ſcripture, thoſe particular objects, which are beſt qualified to excite in them their venerable and characteriſtic affection of laughter.

It is a fact not very honourable to human nature, but ſtanding on the faithful record of hiſtory, that in proportion as piety has increaſed in purity and energy by the promulgation of chriſtianity, impiety has increaſed in malignity and intenſity; and that in proportion as religion has, from the ſame cauſe, increaſed in weight and importance, irreligion has increaſed in levity and buffoonery.

" As the chriſtian religion is adverſe to the incli-
" nations and paſſions of the corrupted part of

 " mankind

" mankind (ſays an admired writer) it has been
" its fate in every age, to encounter the oppoſition
" of various foes. Sometimes, it has undergone
" the ſtorms of violence and perſecution. Some-
" times, it has been attacked by the arms of falſe
" reaſoning, and ſophiſtry. When theſe have
" failed of ſucceſs, it has at other times been
" expoſed to the ſcoffs of the petulant. Men of
" light and frivolous minds, who had no compre-
" henſion of thought for diſcerning what is great,
" and no ſolidity of judgment for deciding on
" what is true, have taken upon them to treat
" religion with contempt, as if it were of no con-
" ſequence to the world. They have affected to
" repreſent the whole of that venerable fabric,
" which has ſo long commanded the reſpect of
" mankind; which, for ages, the learned have
" ſupported and the wiſe have admired; as having
" no better foundation than the gloomy imagi-
" nation of fanatics and viſionaries."*

But if theſe are reflections qualified to give us pain, there is another which is qualified to give us the moſt ſubſtantial comfort; it is this, that the enemies of chriſtian religion, of civil government, and of the Engliſh conſtitution, prove, in general,

* Blair. *On ſcoffing at Religion.* Vol. 3. Serm. 18.

to

to be one and the ſame. This is a reflection, that will remove any doubt we might have partially admitted; and it diſcovers to us, that if we will only be faithful, and not ſurrender up the intereſts of either of the three, each will confirm the other: Chriſtian relig on will impart unceaſing energy to the true principles of civil government, and thoſe principles will effectually ſuſtain the fabric of the conſtitution. As civil government is a ſcheme to compel the diſcharge of *a part* of that obligation under which man is born, and as chriſtian religion furniſhes an impulſe propelling and aiding each to diſcharge *the whole* of that obligation; it is evident, that the effect of chriſtian religion, comprehends the effect of civil government, and anticipates its deſign; that it cauſes every man to govern himſelf more effectually than artificial government could do, and that it therefore, gives animation to all thoſe principles on which civil government is eſtabliſhed. And, again, as all ſound principles of government; ſuppoſe the ſubjection of every conſtituent part of the ſtate to the obligation of duty, and require therefore a reciprocal and equal action of the artificial force of government on all thoſe parts, ſo as to be equal and complete in its effects on each; and as the conſtitution of England is the only government in point of practice, and the only ſyſtem in point of theory, that can adduce a

ſatisfactory

ſatisfactory evidence of its ability to execute that great deſign with any degree of perfection, and to maintain that ability unalterably; it is manifeſt, that the genuine principles of government are reduced to their moſt fruitful experience, under the happy form of polity conſtituted in theſe kingdoms.

Others who deſpaired of altogether extinguiſhing chriſtian religion, imagined the artifice of ſeparating its preſent and future influence; and granted its excellency in reſpect of a future condition of the human nature, provided it might be conceded to them, that it was incompatible with the preſent unavoidable condition of human ſociety; and they liberally allowed its ſpiritual pre-eminence, in order that they might obtain an acknowledgment of its temporal inferiority. This at leaſt would reduce its conſequence in reſpect of that compaſs of exiſtence, which engaged all their concern. But here again they failed; for the duties of Chriſtianity are duties in perfect uniſon with the original ſcheme of government; they are the complement of that uncertain rule, collected from the unaided light of reaſon, which conſtitutes what is called, the law of nature; and they ſo evidently proceed from the ſame common ſource, that if they were certainly fulfilled,

they

they would ſupercede the neceſſity of government; becauſe, as we obſerved, each would then govern himſelf in a manner much more effectual, than any ſcheme of human polity can poſſibly govern any one. It was indeed incompatible with duplicity, with intrigue, ambition, violence, &c.; which belong, not to the uſe, but to the abuſe of government. But it was not incompatible with the pure and genuine notion of government; ſuch as every wiſe and good man underſtands; and which demands an *equality of control* over the human ſpecies, in order to provide for each an *equality of ſecurity*. When this fallacious notion was promulged, and it was alleged, "that true Chriſtians could "never conſtitute a ſtate capable of continuing:" the great Monteſquieu replied, "And wherefore "not? They would be citizens inſtructed, in an "eminent degree, in their duties, and moved by "an active zeal to diſcharge them; they would "be able perfectly to comprehend the rights of "ſelf-defence; the more they felt themſelves "bound to their religion, the cloſer they would "attach themſelves to their country. The prin-"ciples of Chriſtianity deeply engraven on their "hearts, would be infinitely more efficient than "the artificial honour of monarchies, the mere "human virtue of republics, or the ſervile fear of "deſpotic

" deſpotic governments*. Chriſtian religion that " commands all men to love each other, neceſſa- " rily intends that every people ſhall poſſeſs the " beſt political and civil laws attainable; becauſe " theſe, next to itſelf, conſtitute the greateſt " happineſs that man can either receive or com- " municate."† If peace, and the arts of ſocial life, can contribute to the continuance of a ſtate, ſuch a ſtate muſt continue; becauſe it be undiſturbed by inteſtine commotion, and would, as far, as it was poſſible, avoid all external hoſtilities. " If Chriſtian nations (ſays an ingenious writer) " were nations of Chriſtians, all war would be im- " poſſible.‡" And what more would be required, to bring back the human nature to the original condition in which it proceeded from the hands of its Creator, and to which the reſtorative diſpenſation of Chriſtianity, is intended to reduce it again?

Chriſtianity reveals the whole ſcheme of man, the origin of all his relations, and the end of all his capacities. It expands the narrow ſphere in which philſophers had contemplated his nature,

* *Eſpirit des Loix*, L. xxiv. c. 6. † Id. Lxxiv. c. 1.
‡ Soame Jenyngs, *Int. Evid. of Chr.* p. 55

extend-

extending it on the one ſide to the eternal attributes of the Deity, and on the other to the eternity of duration. In this ſtupendous enlargement of the intereſt of man, the little ſphere of duty that had employed the ſpeculations of his reaſon, is loſt and abſorbed. The term of his preſent exiſtence forms but a point of his total exiſtence; the laws of his preſent nature, are but partial and tranſitory relations of his general nature; and the intereſts of this diminutive portion of his being, are in every reſpect ſubordinate to the intereſts of his perpetual duration. Under the Chriſtian diſpenſation, man knows no governing or abſolute rule, but the will of God; he knows no final object, but the eternity of his exiſtence. As theſe are inſeparable from the views of a Chriſtian, they qualify the notions that a Chriſtian forms of civil government. And they do this, not by introducing new principles ſubverſive of thoſe which are implanted in nature; but by extending thoſe very principles to their full and perfect growth; thus foſtering the weak and yielding plant, till it become a ſtrong, towering, and umbrageous tree.

The abſolute diſtinction between the law of nature and the law of revelation; exiſts only in the minds of thoſe who make that diſtinction; and

betokens, either inaccuracy of perception, that cannot aſcertain the identity of an object; or narrowneſs of capacity, that cannot embrace its totality. Natural law, is the will of God, partially and confuſedly collected, by the labours of the human reaſon; revealed law, is the ſame identical will, but perſpicuouſly and diſtinctly expoſed, by communication from God. They are one and the ſame object under different degrees of evidence; and in the degrees of that evidence, all their diverſity conſiſts. So that the moraliſt who ſhould labour to determine the ſum of man's obligation by the rule of natural law only, with the entire excluſion of the rule provided in the law revealed, would be like an aſtronomer, who ſhould obſtinately perſiſt in determining the conſtellations or the planetary ſyſtem, by the tube of Galileo, rather than by thoſe of Huygens or of Herſchel.

Thoſe unbelievers in chriſtianity, who diſclaim all ſhare in the characters above exhibited; and who, from living within the light of chriſtian religion have been enabled to collect a ſyſtem of religious ethics, agreeable to their reaſon, and to which a natural rectitude of heart inclines them; will do well, and conſonantly with that rectitude, to aſcertain exactly the ſource, from whence they have derived that exuberant ſtore of truth, which diſpoſes

diſpoſes them very unjuſtly to infer, that chriſtianity is ſuperfluous, and therefore falſe. Jealous of reaſon, and not aware how anxiouſly chriſtianity appeals to the bar of reaſon; hoſtile to ſuperſtition, and not aware how completely chriſtianity diſpels ſuperſtition; they have erroneouſly rejected in chriſtianity, at once the vindicator of reaſon and the vanquiſher of ſuperſtition. But let them be careful to certify to their minds, whether that beautiful ſyſtem of morality which they admire, be not obtained through the aid of revelation;* whether that ſyſtem be not comprehended in chriſtianity, and whether it were known to mankind before its promulgation. And if, as is demonſtrably true, the wiſeſt philoſophers were able to attain to it, till the diffuſion of revealed truths enlarged the capacities of man, and defined his notions; then, let them be fair to acknowledge the magnitude of the debt in which they ſtand obliged to the luxuriance aud munificence of chriſtianity.

In proportion to the capacity and genius of writers on the ſubject of natural law, the boundaries of that ſcience have been extended, and its identity with the law of revelation has been fully demonſtrated.

* See, Ellis's, *Knowledge of Div. Things from Revelation, not from Nature or Reaſon.* 8vo.

" In univerſal ſociety, under the preſidency " of God," (ſays a genius of the firſt order,) " every virtue is comprehended in the obligation to " univerſal juſtice; and not only our external " actions, but alſo our internal affections, are ſub- " ject to that moſt diſtinct and certain rule; and " he who reaſons worthily of natural law, will take " into his conſideration, not only the eſtabliſhment " of peace with reſpect to man, but the acquire- " ment of friendſhip on the part of God; the " poſſeſſion of which is an earneſt of eternal feli- " city. We are not born for ourſelves alone; but " belong, in part, to our fellow-creatures, totally, to " God*." Thus much for the rule of acting. " To overlook the circumſtance of future life," (ſays the ſame writer) " which is inſeparably con- " nected with the divine Providence; and to re- " main contented with ſome inferior and ſubordi- " nate degree of natural law, that can have effect " even among Atheiſts, is to deſpoil that ſcience " of its moſt beautiful part; and to extinguiſh " many duties relating even to this life†. To pre- " fer a nominal immortality, or a poſthumous " fame, which are but ſounds incapable of con- " veying any benefit to us, to a ſolid and ſubſtan- " tial happineſs; what is it but a ſplendid ſtupi-

* Leibnizii Op. Tom. IV. Part ii. page 281. † Idem, p. 277.

" dity ?

" dity? The doctrine of natural law, as expounded " by Chriſtians, that is to ſay, by men truly phi- " loſophers, is far too ſublime and capacious to " meaſure every thing by the accommodations of " this life*." So far for the end of our acting. And the ſame great teacher thus ably and wiſely concludes his comment: " To ſum up " what has been ſaid, we ſhall ſay in general, that " the *end* of natural law is, the benefit of all who " are ſubject to it; that its *object* is, whatever can " affect the happineſs of others, and is at the " ſame time under our control; and finally, that " its *efficient cauſe* within us is, the light of eternal " reaſon, tranſmitted by the Deity into our minds. " Which things from being ſo clear and ſimple " I apprehend have appeared to ſome men as too " obvious; and that they have therefore been in- " duced to excogitate ſomething more paradoxical, " which might captivate by its appearance of " novelty; not being ſufficiently aware either, of " the pregnancy of that which they rejected, or of " the imperfection of that which they adopted.†"

Such is the extent to which the circumference of natural law has been gradually enlarged, by the light that Chriſtian Religion has diffuſed. How

* Idem. † Ibid, page 287.

equally

equally and powerfully that light is diffuſed; how clearly it exhibits to all, the rule of acting by which men are bound to employ their faculties; how forcibly the end it propoſes compels an obſervance of that rule; is beſt repreſented in the words of one of the brighteſt ornaments of our church and country. By means of that perſpicuous apprehenſion of the great truths of religion, which the Chriſtian faith imparts, "ruſtics and mechanics (ſays this affecting writer) do in true know-"ledge ſurpaſs the moſt refined wits, and children "prove wiſer than old philoſophers. A child can "aſſure us of that, wherein a deep philoſopher is "not reſolved; for aſk a boor, aſk a child educated "in our religion, Who made him? he will "tell you, God Almighty; which is more than "Ariſtotle or Democritus could have told! De-"mand of him, why he was made? He will tell "you, to ſerve and glorify his Maker; and hardly "could Pythagoras or Plato have replied ſo wiſely; "examine him concerning his ſoul, he will aver, "that it is immortal, that it ſhall undergo a judg-"ment after this life, that accordingly it ſhall "abide in a ſtate of bliſs or miſery everlaſting; "about which points neither Socrates nor Seneca "could aſſure any thing. Inquire of him, how "things are upheld, how governed and ordered? "He preſently will reply, by the powerful hand

"and

" and wiſe providence of God; whereas among " philoſophers, one would aſcribe all events to " the current of fate, another to the tide of for- " tune; one to blind influences of ſtars, another " to a confuſed jumble of atoms: poſe him " about the main points of morality and duty, " and he will in a few words better inform you, " than Cicero, or Epictetus, or Ariſtotle, or " Plutarch, in their large tracts and vo uminous " diſcourſes about matters of that nature. So real " a property, it is of God's law, *to give ſubtilty* " *to the ſimple, to the young man knowledge and diſ-* " *cretion.**"

Thus

* Barrow, *On the Virtue and Reaſonableneſs of Faith.* Serm. II. In this wiſe, faithful, and perſuaſive writer. the reader (if he has not already the happineſs of being familiar with him) will diſcover the *zenith* of that ſphere, of which the author of the *Rights of Man* may juſtly be eſteemed the *nadir*. From this great and good man, he will obtain a knowledge of the Deity capable of influencing to moral action; he wil diſcover the verity of Chriſtian Religion, unconfounded with the adulterous growth of human artifice and ſuperſtition; he will diſcover, fairneſs and candor; ſound and preciſe reaſoning; profound knowledge of every ſubject he attempts to inveſtigate, and faithful communication of all that knowledge; he will find, in ſhort, all that is not to be found in the *Age of Reaſon*. Nor is this to be evaded by alleging the mutilated effigies of Religion, which that work exhibits in order to effectuate the ſeduction of weak and undiſcriminating minds from belief in Chriſtianity That effigies, culled and purloined as it is from the works of Chriſtian Philoſophers, betrays the archetype from whence it was ſtolen; but how unlike its ſublime original!

"—— As when the ſun new riſen
" Looks through the horizontal, miſty air,
" Shorn of his beams; or from behind the Moon,
" In dim eclipſe, diſaſtrous twilight ſheds!"

And

Thus is chriſtian religion the exhauſtleſs ſource of that principle of moral obedience copied after in civil government, and the want of which that ſcheme is intended to ſupply. It is the life that government, proceeding from principles implanted by God, aims to eſtabliſh. For what does government intend, but the peace and welfare of mankind? And what does chriſtian religion enjoin, but univerſal love to all mankind? And what is "*love*" but "*the fulfilling of the law?*" Chriſtian religion is therefore the life which the human nature will live, when the neceſſities of human government ſhall ceaſe, and man be ultimately and immediately ſubjected to the eternal monarchy of God. It is a

And yet this adventurous author thinks it prudent to affirm, that, "except-"ing the book of Job, and one Pſalm, the Bible contains no inſtruction "on the ſubject of the Creator." He indeed acknowledges, "*but I keep* "*no Bible*"; but even this can furniſh no extenuation of that falſehood; becauſe he has given us ſufficient proof, that he once had borrowed one at leaſt, in order to miſrepreſent its contents. It was (according to his own avowal) a caſual circumſtance only that induced him to give this credit to the Book of Job, and not its own internal evidence. He tells us, that he had entirely diſcarded that book among the reſt, when he chanced to read in a Jewiſh writer that it did *not belong to the Bible*; and *then* he took it into favour. It will be no arduous taſk to ſhow, from the points inadvertently conceded by "*The Age of Reaſon*," both the certainty of Chriſtian truth, and the no leſs certain inconſequence and falſhood of all which that rancorous libel comprehends. Nor will this latter receive the ſmalleſt ſupport from the illiterate, coarſe, and ignorant attempt at a defence, by by which "*a Deiſt*" has diſgorged his crude, undigeſted malignity, on the truly Chriſtian manual of that learned Prelate, who has compreſſed into a ſmall compaſs a valuable ſtore of antidote, to follow the poiſon ſo induſtriouſly diffuſed.

perfect

perfect life attempted to be lived among the imperfections of human ſociety. It is the anticipation of that ſcheme of polity, of ſocial intercourſe, which will ſupplant the diſtractions of the preſent ſcene, and which the great apoſtle ſo ſublimely intends when he ſays, "*Our form of ſocial union exiſts in heaven.*"*

And ſhall we then relinquiſh ſuch a religion to the defilement of its aſſailers? Shall we deſert thoſe principles of ſocial intercourſe producing government which were originally prepared by God, and which are therefore naturally invigorated by the genial influence of His own religion? And ſhall we abandon that ſplendid form of government, riſing out of thoſe principles, and nouriſhed by the foſtering care of wiſdom, of virtue, and of freedom, during a growth of many centuries? We need not YOUR anſwer. YOUR determination is too diſtinctly foreſeen. That form of government, is all YOU can in this life enjoy, towards obtaining thoſe bleſſings, which the original law of nature, and the ſubſequent diſpenſation of chriſtianity, deſign for the human ſpecies. But unleſs we manfully adhere to the poſt of duty; unleſs we diſplay to the enemy a vigi-

* Ἡμων το πολιτευμα εν ουρανοις υπαρχει PHILLIP. iii. 20. The force of this paſſage is greatly enfeebled in our verſion, which renders it thus: "Our converſation is in heaven."

lance equal with his, and a courage and power superior to his; that bleſſing will be precarious and inſecure. Of all mortal prognoſtics among ſtates, none are ſo dreadfully certain, as imaginary ſecurity in the midſt of danger. "*The kings of the earth, and all the inhabitants of the world, would not have believed that the adverſary and the enemy ſhould have entered into the gates of Jeruſalem*;" And yet they did enter, and did "*not leave one ſtone upon another.*" To defend the conſtituted polity of England againſt its embittered and diſtracted foes, is at all times, therefore, the duty of Engliſhmen; to defend it at this particular time, or to ſtand prepared for its defence, is a duty in a peculiar and conſpicuous manner impoſed upon YOU; becauſe YOUR RESIDENCE is the theatre that Treaſon has ſelected for her atrocities; and becauſe the unqueſtionable light of experience diſcovers to us, which is THE OCCASION that ſhe eſteems moſt favourable to her views. What YOU are to do, how YOU are to conduct YOURSELVES, is not for us to preſume to point out. The laws of your country impoſe a ſalutary conſtraint on the activity of individuals, and conſign the power of all public acting excluſively to the organs of the ſtate. But what thoſe laws concede, that YOU may rightfully aſſume. And ſurely they concede to YOU various means for preventing the repetition of thoſe ſcarcely paralleled

enor-

enormities; which, at the time of the king's laſt progreſs to the Parliament, produced a tranſient compariſon between the capital of England and the capital of France. You have wiſdom, You have power, You have leiſure to decide, how You may beſt oppoſe loyalty to treaſon, freedom to ſavageneſs, courage to ferocity, obedience to rebellion, order to diſorder. All that we may venture to ſuggeſt is, in the words of the higheſt authority; "*Be vigilant.—Be ſtrong and of good courage*; "*dread not, nor be diſmayed.*"

Should treaſon, either in the head or herd, think this our effort worthy of aſperſion; as an offering of ſuperſtition, a tribute of ſervility, a labour of venality, or a tool of tyranny; we ſhall give it no heed; but ſhall repoſe, with confidence and with ſecurity on the ſecret ſuffrage of the wiſe and the good.

THE END.

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